

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1973

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 1, 1973



Vol. 2

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. List of registered lobbyists, with lobby group affiliation;
 2. Legislative roster, listing names and addresses of all members of the current Legislature by district;
 3. A listing of legislative days, with calendar dates and pages on which each day begins;
 4. A topic index, listing all bills and resolutions alphabetically by subject matter;
 5. A miscellaneous index, including all items not categorized as bills or resolutions;
 6. A sponsor index, listing all Senate bills and resolutions alphabetically by author;
 7. A Senate bill numerical index, with short titles; and
 8. A House bill numerical index.
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**JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1973**

TWENTY-SIXTH LEGISLATIVE DAY

THURSDAY, AUGUST 2, 1973

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Mr. George L. Herring, Minister, Catoma Street Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Fifth Legislative Day was approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 767. To amend Section 3 of Act No. 476, H. B. 627, Regular Session 1955 (Acts 1955, p. 1084), as amended, which section relates to the compensation of the deputy district attorney of the Twenty-third Judicial Circuit, so as to further regulate the compensation of said deputy district attorney.

Committee on Judiciary.

By Messrs. Hawkins and Owen:

S. 768. To amend Sections 8, 10, 14, 18, 20, 21, 22, and 24 of Act No. 576, Acts of Alabama 1959, page 1442, volume 2, as amended, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation and Natural Resources Department of this State; the enforcement of this act, duties of the commissioner of the State Department of Conservation and Natural Resources; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation and Natural Resources Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Commissioner of Conservation and Natural Resources with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation and Natural Resources for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation and Natural Resources; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Committee on Conservation.

By Mr. Gilmore:

S. 769. To provide for the establishment of an Alabama Crime Information Center; to provide for a statewide crime information system; to provide for the reporting of all arrests and further disposition of persons charged with felonies and certain misdemeanors and violations; to provide for the submission of uniform crime information; to establish an Advisory Council for the Alabama Crime Information Center; to provide for all matters pertaining to the foregoing.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Dominick:

S. 770. To provide additional methods of annexing territory to any city of the State having a population of 300,000 or more inhabitants according to the last or any subsequent federal census.

Committee on Local Legislation No. 2.

By Mr. Dominick:

S. 771. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, page 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

Committee on Local Legislation No. 2.

By Mr. Dozier:

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Committee on Local Legislation No. 1.

By Messrs. Pelham, Lybrand and Harris:

S. 774. To create the Minerals Resource Management Committee; to provide for its membership, duties and responsibilities.

Committee on Constitution and Elections.

By Messrs. Pelham, Lybrand and Harris:

S. 775. To relieve the state personnel director of the duty of having published the names and addresses of all state employees as required by the Code of Alabama 1940, Title 55, Section 299, as amended.

Committee on Constitution and Elections.

By Mr. Owen:

S. 776. To amend Sections 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to provide for a State Parks Concession Commission; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate

Committee on Conservation.

By Mr. Owen:

S. 777. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing an additional expense allowance for the county solicitor of such counties.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 778. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing for an additional clerk hire allowance for the offices of probate court within such counties.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 779. To authorize the district attorney of the Thirty-Eighth Judicial Circuit to appoint a part-time deputy district attorney, and to prescribe his duties; to fix his compensation and the manner of its payment.

Committee on Finance and Taxation.

By Mr. Baker:

S. 780. To authorize the district attorney of the Ninth Judicial Circuit to appoint one full-time and one part-time deputy district attorney, and to prescribe their duties; to fix their compensation and the manner of its payment.

Committee on Finance and Taxation.

By Mr. Carr:

S. 781. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

Committee on Finance and Taxation.

By Mr. Dominick:

S. 782. Amend Title 13, Section 261, which authorizes each circuit court judge to appoint a competent court reporter to perform the duties of official court reporter of the courts in the circuit over which said judge presides.

Committee on Judiciary.

By Mr. Wilder:

S. 783. Relating to the 5th judicial circuit, to provide for the appointment and compensation of a deputy district attorney in each county comprising said judicial circuit.

Committee on Finance and Taxation.

By Mr. Wilder:

S. 784. Relating to the 19th judicial circuit, to provide for the appointment and compensation of a deputy district attorney in each county comprising said judicial circuit.

Committee on Finance and Taxation.

By Mr. Wilder:

S. 785. To authorize Alabama Public School and College Authority to sell and issue \$27,000,000.00 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sales thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds from proceeds of the residue of certain excise taxes to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, the moneys so appropriated and pledged, and will not create a debt or obligation of the limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivision, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Clark:

S. 786. To amend Sections 1, 2, 5, 7, 13 and 16 of Act No. 168, H. 270, Special Session 1966, (Acts 1966, p. 190), as amended, which act establishes the Alabama Historical Commission, so as to change the name of said commission to the Alabama Heritage Commission; to allow said commission to acquire certain real and personal property; to allow said commission to expand its duties by employing a state officer of archaeology; to allow said commission to take the assistant to the director of said commission from the state merit system; to allow the Governor, Lieutenant Governor and the Speaker of the House of Representatives to select persons to serve in their positions on said commission and to increase the number of organizations which are qualified to name members to the Board of Advisors of said commission.

Committee on Rules.

By Mr. O'Bannon:

S. 787. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and to provide the means and manner for the payment of the same, so as to provide further for such compensation.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 788. To further amend Act No. 288, approved July 7, 1945 (General Acts 1945, p. 478) relating to supernumerary circuit judges, their qualifications, appointment, duties, designations and compensation.

Committee on Judiciary.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill and Senate Joint Resolutions with the original Senate Bill and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 6. Applying to the Congress for a convention to propose an amendment to the Constitution of the United States.

Also:

S. J. R. 77. Commending Mr. James Haywood and thanking him and others for the Jacksonville State University Luau.

Also:

S. 273. To amend Title 22, Section 199 and 199 (1) relating to the system of care for tuberculosis patients.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate,

signed the foregoing bill, and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

REPORTS OF COMMITTEES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 80. URGING THE UNITED STATES INTERIOR DEPARTMENT TO OPEN FEDERAL LANDS OFF THE ALABAMA COAST FOR BIDDING FOR PURPOSES OF EXPLORING FOR OIL AND NATURAL GAS.

On motion of Mr. Harris, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Motion in Writing and ordered same returned to the Senate with a favorable report, to-wit:

Motion in Writing by Mr. Dominick adding new Senate Rule 67.

And said Motion in Writing was then lost.

Mr. Bailes moved that the Senate reconsider the vote by which said Motion in Writing was lost. Mr. Fine moved that the motion to reconsider be laid on the table, and the motion to table was lost.

Yeas 10; Nays 16.

Yeas:

Messrs.:	Jones	Melton	Pierce	
Fine	Lindsey	O'Bannon	Wilder	
Foshee	Littleton	Owen		—10

Nays:

Messrs.:	Cook	Hawkins	Register	
Bailes	Dominick	King	Shelby	
Baker	Gilmore	Lybrand	Vacca	
Branyon	Givhan	McLain	Weaver	
Carr				—16

The question was then on the motion of Mr. Bailes that the Senate reconsider the vote by which the above Motion in Writing, adding new Senate Rule 67, was lost, and the motion to reconsider was adopted.

And said Motion in Writing was then adopted by the Senate.

Yeas 20; Nays 6.

Yeas:

Messrs.:	Gilmore	Lindsey	Register	
Bailes	Hawkins	Lybrand	Shelby	
Baker	Horne	McLain	Vacca	
Branyon	Jones	Melton	Weaver	
Cook	King	Pelham	Wilder	
Dominick				—20

Nays:

Messrs.:	Foshee	O'Bannon	Pierce	
Fine	Littleton	Owen		—6

BILL RE-REFERRED

Mr. Lybrand moved that, in accordance with Senate Rule 50, the Bill, H. B. 1060, be recalled from the Standing Committee on Insurance and re-referred to the Standing Committee on Finance and Taxation, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 1060, re-referred to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McCorquodale:

H. J. R. 172. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, August 7, 1973.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 172, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORTS OF COMMITTEES RESUMED

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 46. CREATING AN INFORMATION OFFICE IN THE LEGISLATURE.

On motion of Mr. Dominick, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 72. ASKING THE UNITED STATES CONGRESS TO REPEAL LEGISLATION ESTABLISHING THE PROFESSIONAL STANDARDS REVIEW ORGANIZATION.

On motion of Mr. Fine, said Resolution was then adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 57. CONDEMNING THE MANNER IN WHICH THE TUSKEGEE SYPHILIS STUDY WAS CONDUCTED, REQUESTING

AN END THERETO AND DEMANDING THAT THE PARTICIPANTS BE COMPENSATED BY THE UNITED STATES GOVERNMENT.

On motion of Mr. Clark, said Resolution was concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 132. CONDEMNING PROPOSED FEDERAL RULES AND REGULATIONS TO PROTECT THE COMMON CROW.

On motion of Mr. Register, said Resolution was concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 133. REGARDING ROTATING THE COMMAND OF THE 30TH ARMY DIVISION.

On motion of Mr. Pierce, said Resolution was concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 134. DEPLORING THE SYSTEM OF APPLYING BIRTH CONTROL METHODS WITHOUT PROPER INFORMATION.

On motion of Mr. Clark, said Resolution was concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 141. ESTABLISHING A TOP PRIORITY GOAL OF PROFICIENCY IN READING FOR EDUCATION IN ALABAMA.

On motion of Mr. Pelham, said Resolution was concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 148. EXPRESSING APPRECIATION TO AUBURN UNIVERSITY FOR ITS EFFORTS IN EXPERIMENTAL PUBLIC TECHNOLOGY.

On motion of Mr. Pelham said Resolution was concurred in and adopted by the Senate.

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolutions and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 12. OPPOSING AMNESTY FOR DESERTERS FROM THE ARMED FORCES OF THE UNITED STATES.

On motion of Mr. Cook, said Resolution was concurred in and adopted by the Senate.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 81. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the 26th Legislative Day only:

All uncontested Local Bills and all uncontested General Bills with local application as they appear on the Calendar.

On motion of Mr. Clark, said Resolution was then adopted by the Senate.

REPORTS OF COMMITTEES RESUMED

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews, et al (With Amendments)

H. 322. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pelham (With Substitute):

S. 675. To amend Section 257, subsection (d) of Section 262, Sections 263, 269, 270, 271, 272, 273, 277, 279, 280, 283, 285, 286, 289, 292, 293, 301, paragraphs (2), (4) and (5) of Section 309, Sections 312 and 324, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 3, 5, 6, and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, and to repeal Sections 255, 256, 274, 275, 276, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 5 and 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 4 and 7 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 4 and 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, relating to providing compulsory coverage of subject employers and employees, extending coverage to common carriers but specifying certain persons not to be employees of common carriers, allowing elective coverage of farmers, providing immunity under certain circumstances from suits to co-employees, to workmen's

compensation insurance carriers of employers and to persons or companies making certain safety inspections, extending the presumption of dependency to include husbands, increasing the maximum and minimum weekly compensation payable, extending the maximum number of weeks payable for permanent total disability and for death, increasing the amount payable for burial expense, reducing the number of days of disability required before compensation is payable for the waiting period, providing for a penalty for late payments of compensation, increasing medical benefits and extending the period during which such benefits are payable, specifying coverage of physical rehabilitation as a medical benefit, providing for a change of physician under certain circumstances, increasing the basis of calculation whereby an employer may be discharged from the payment of future installments of compensation, providing for additional reports to be filed with the Department of Industrial Relations, authorizing the Director of Industrial Relations to require self-insured employers to post bond or securities and to prescribe other rules and regulations regarding self-insurance, providing for the applicability of and effect of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, providing for penalties for the failure to secure compensation liability and for failure to file reports, permitting the parties to agree as to the intervals at which certain benefits shall be paid, and appropriating \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and \$46,000 for the fiscal year beginning October 1, 1974, and ending September 30, 1975, out of the general fund of the State Treasury to the Department of Industrial Relations for carrying out the purpose of this Act, all relating to the Workmen's Compensation Law, Articles 1, 2, 2A, 2B, 2C, and 3 of Chapter 5 of Title 26 of the Code of Alabama 1940, as last amended, pertaining to compensation of employees by employers for job-related injuries and certain illnesses and diseases.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McLain:

S. 756. Relating to taxation; to amend Title 51, Section 2 (1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheds.

By Mr. King:

S. 599. To declare the need for the establishment of an educational program to prepare registered nurses to function as certified nurse-midwives. To authorize the Alabama Commission on Higher Education to contract with an appropriate state educational institution to design and implement a nurse-midwifery educational program, and to appropriate funds therefor.

By Messrs. Shelby, Wilson, Pelham, Weaver, Fine, Givhan, Bailes, Dozier and Noonan:

S. 505. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards,

and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1973-74 and 1974-75; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

By Mr. Bailes (By Request)

S. 121. To exempt certain charitable organizations from all state, county, and municipal sales and use taxes or taxes of a like nature.

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 556. To change the name of the "Director" of the Department of Labor to the "Commissioner" of the Department of Labor.

By Messrs. Pelham, Wilson, Shelby and Lindsey:

S. 607. To provide that the fire fighters of any municipality may by the election provided for in this Act designate a bargaining agent to represent them in respect to the wages the municipality employing them pays to them as fire fighters and in respect to other conditions of their employment; to provide the procedure for elections to be called and held under this Act, including the elections to certify a bargaining agent and elections to decertify a bargaining agent; to provide for collective bargaining proceedings to be instituted by the bargaining agent for the fire fighters or the officer, commission or board empowered to establish wages for the fire fighters; to authorize the Director of Labor to establish rules and regulations governing the call of, notice of and conduct of elections held hereunder; to provide for a procedure for compulsory arbitration; to provide for the appointment of arbitrators and define said arbitrators' jurisdiction and authority; to provide that the arbitrators' decision shall be binding upon all parties; and to provide for the enforcement of such decision by the circuit court and to provide for penalties; and to provide that this Act shall be known as the "Fire Fighters' Employee-Employer Relations Act," and that the provisions thereof are supplementary to and shall be construed in *pari materia* with Act No. 229, H. 146 (Acts 1967, p. 598).

By Mr. Wilson:

S. 662. To provide compensation for total disability and death due to pneumoconiosis of coal miners and their dependents as herein defined in compliance with the provisions of the Federal Coal Mine Health and Safety Act of 1969 as amended by the 96th Congress. And to provide for standards and presumptions for determining when and under what conditions such total disability or death is due to pneumoconiosis for eligibility for such benefits by coal miners and their dependents as herein provided. And to provide for the protection of such benefits and the payment thereof by coal mine operators as herein provided. And to provide that any claim or action filed herein for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein

as provided of prior and successor operators and as herein defined and to amend and supplement Act No. 1198 enacted by the 1971 Regular Session of the Alabama Legislature for miners employed at such mines.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 494. To further amend Act No. 685, S. 364, Regular Session 1965, (Acts 1965, p. 1246), so as to further define the procedure concerning the organization of Water Management Districts.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 690. To amend Section 402 of Title 51, Code of Alabama of 1940, so as to provide for the deduction of certain dividends received by domestic and foreign corporations.

By Mr. Lybrand:

S. 740. To amend Sections 373 and 744 of Act No. 407, H. 198, Legislature of Alabama of 1971, approved August 25, 1971, entitled "An Act to provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign alien insurance companies, societies and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes," which relate to the Standard Nonforfeiture and Standard Valuation Laws applicable to life insurance companies so as to increase the interest rates used in determining minimum nonforfeiture and reserve values for contracts issued by such companies, and to substitute modern mortality tables in determining the reserve values for annuity contracts.

By Messrs. Owens and Lyons:

H. 1025. To establish the capital and surplus required to form a domestic stock life insurance company.

By Messrs. Owens and Lyons:

H. 1026. To establish within the Department of Insurance a Receivership Division, to provide for the management thereof and to enumerate the duties, responsibilities and authority to be conferred thereon.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Connell:

H. 169. To amend Title 48, Section 462, Code of Alabama 1940, which relates to unlawful riding on trains and busses, so as to increase the penalty therefor.

By Messrs. Adams and May:

H. 447. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provided for the inspection and the charging of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

By Mr. Hobbie, et al:

H. 523. To regulate the solicitation of advertisement by any person, firm, corporation, State or Federal Peace Officers Association for any Peace Officers Magazine or Journal; to provide penalties for violation of this Act.

By Mr. McCorquodale:

H. 860. To amend Section 3 of Act No. 169, H. 27, Regular Session 1945, (Acts 1945, p. 285), as last amended, which section sets the rates of the forest products severance tax, so as to provide for a privilege tax to be levied against the manufacturer or processor utilizing the forest products; and to provide the manner of levying privilege tax.

By Mr. Jones (E), et al:

H. 874. To amend Title 48, Sections 215, 216, 217, 222, and 223, Alabama Code 1940, which provides for the appointment and exercise of powers of Railway Policemen, so as to provide the Governor power to enter into reciprocal agreements with other states, allowing Railway Policemen to exercise their power and authority in other states; to allow such policemen to register with the Secretary of State.

By Messrs. Foshee and Fine:

S. 21. To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

By Mr. Foshee:

S. 26. To provide the maximum time price differential that may be charged by certain persons under revolving charge agreements; to regulate extensions of credit under revolving charge agreements and to provide penalties for violation of this Act.

By Mr. Foshee:

S. 35. To provide further for the safety of railroad employees; to grant the Department of Industrial Relations certain powers to enforce the provisions of this Act.

By Mr. Foshee:

S. 49. Relating to appeals from the actions or orders of the Alabama Public Service Commission in certain cases; providing for the time, manner and procedure for taking such appeals and for the effect thereof; providing for the construction of this act; and repealing all laws and parts of laws in direct conflict or inconsistent with the provisions of this act.

By Mr. Foshee:

S. 50. To create the position of public utility hearing examiner or administrative law judge for the purpose of aiding the public service commission in its decisions; to provide for the qualifications, duties and authority of such examiners or judges and for the manner of their selection, and to provide that the compensation of such examiners or judges and the expenses of their offices shall be paid from funds of the Alabama Public Service Commission.

By Mr. Foshee:

S. 55. To authorize the Legislature to make appropriations to the Alabama Public Service Commission out of any funds in the state treasury not otherwise appropriated and to repeal conflicting laws.

By Mr. Foshee:

S. 56. Relating to the Alabama Public Service Commission; authorizing the employment of outside consultants as witnesses in rate making cases under certain conditions; and providing for the payment of fees to such witnesses.

By Messrs. Littleton and Foshee:

S. 94. To exempt prisoners of war during the Vietnam conflict from paying any state income tax on income received during the period of time they were held captives by a foreign power.

By Messrs. Littleton and Owen:

S. 471. To amend Sections 3 and 4 of Act No. 566, S. 117, p. 1046, Volume II, Acts of Alabama, Regular Session of the Legislature 1969, effective 2/1/70, the title of which act is, "To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries," by increasing the minimum and maximum salary allowed for such Supernumerary officials and providing for repayment of the amount of salary paid into the general fund of the county by such Clerks and Registers if their tenure of office is terminated prior to their becoming supernumerary.

By Messrs. Littleton and Owen:

S. 472. To further amend Section 24, Title 11, Code of Alabama 1940, as amended, so as to increase the minimum and permissible maximum amounts of compensation paid to circuit clerks as ex-

officio fees and by changing the figure thirty-five million dollars where same appears in the section to thirty million dollars; to delete the last sentence of said section; and to establish an effective date of this act.

By Mr. Shelby:

S. 491. To amend Title 22, Section 199 (1), relating to the use of any county or district tuberculosis sanatorium or other facility receiving a state subsidy in respect to the treatment of patients with tuberculosis by the Alabama Mental Health Board.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Vacca (With Substitute):

S. 560. To further amend Section 1 of Act No. 515 of the 1945 Regular Session of the Alabama Legislature (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958), as amended, which relates to the definitions under the State employees' retirement to provide that "average final compensation" for such employees be computed on the basis of the best two years of the last ten years of creditable service.

By Mr. Vacca (With Substitute):

S. 561. To further amend Sections 5 and 8 of Act No. 515 of the 1945 Regular Session of the Alabama Legislature (Title 55, Sections 460 and 463, as amended, Code of Alabama 1940, Recompiled 1958), relating to the State employees' and state policemen's retirement benefits, to increase the percentage used in computing such benefits for state employees to two per centum, and for state policemen, to two and three quarters per centum, and to provide for the financing of same by contributions from both the employees and the State.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Littleton:

S. 680. To rename the State Bureau of Publicity and Information; and to transfer duties and functions now performed by the State Bureau of Publicity and Information.

By Messrs. Foshee and Shelby:

S. 574. To provide a division of accounts, insurance and registration within the Public Service Commission; to provide for the chief of such division and provide for his salary.

By Mr. Lindsey:

S. 636. To amend Section 20 of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 1), which relates to oil and gas and the State Oil and Gas Board, by deleting the words "wilfully" and "intentionally", thereby imposing a standard of strict liability on persons making statements, both oral and in writing, to the Oil and Gas Board pertaining to transactions regu-

lated by this article; to amend Section 21 of said act by deleting the words "knowingly" and "wilfully" thereby imposing a standard of strict liability for any person who violates any provision of this article, or any rule, regulation or order of the Oil and Gas Board, and further to amend the amount of penalty for violations from \$1,000.00 per day for each and every day of such violation and for each and every act of violation to \$10,000.00 per day for each and every day of such violation and for each and every act of violation; and to amend Section 22 of said act by deleting the condition that a person must know or could have known that he was handling illegal oil, illegal gas or illegal product and thereby impose a standard of strict liability for persons selling, purchasing, acquiring, transporting, refining, processing, or handling in any other way any oil, gas or any product without complying with any rule, regulation, or order of the Oil and Gas Board relating thereto.

By Mr. Lindsey:

S. 637. To amend Section 12 (B) of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8), as amended by Act No. 83, 1956 Second Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), which related to establishing drilling units and the minimum and maximum size of drilling units.

By Mr. Lindsey:

S. 652. To amend Section 13 of Act No. 1, 1945 General Acts of Alabama, page 1, approved May 22, 1945, an Act to conserve natural resources, prevent waste and provide regulation, control and supervision of the drilling for and the production and use of oil and gas in the State of Alabama so as to add a provision for integrating interests as well as tracts.

By Mr. Lindsey:

S. 653. To amend Section 25 of Act No. 1, 1945, General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 1), which relates to oil and gas and the State Oil and Gas Board, by increasing the permit fee for oil and gas wells from \$25.00 per well to \$100.00 per well, and to provide for the deposition of permit fees, penalties and publication fees in the Oil and Gas Fund; said fund to be used by the Oil and Gas Supervisor to defray expenses incurred by the Supervisor in the performance of his duties under this article.

By Mr. Register:

S. 751. To authorize the Bureau of Publicity and Information to prepay to employees of said Department necessary travel expenses for such employees on authorized official State business outside the State of Alabama; to provide certain limitations as to the amount of such pre-paid expenses; and to provide that the Department of Examiners of Public Accounts shall annually examine the expenditures of funds used in accordance with this Act.

By Mr. O'Bannon:

S. 760. To authorize the incorporation of one or more public corporations for hospital purposes, including the acquisition, financing, owning, operating and/or leasing of hospitals, clinics, sanatoria, nursing homes, offices for persons engaged in the diagnosis, treatment or cure of sick or injured persons and buildings to house or service equipment used for the diagnosis or treatment of sick or injured persons or the records of such diagnosis or treatment or research with respect to any of the foregoing, or for dormitories or residences for hospital personnel and students, together with all real property for the location or better

utilization of a hospital, medical clinic, buildings, parking areas, garages, storage facilities, outbuildings, machinery, equipment, furniture and fixtures useful or desirable in the operation of any of the aforesaid facilities; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to provide for the offices of Chairman and Vice Chairman of the board of directors of such corporation; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, all lease agreements made by such corporation and all revenues derived from such leases, and the income and properties of such corporation; to provide for the dissolution of such corporation; to exempt such corporations from the laws of this State governing usury or limiting interest rates and competitive bidding; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, any funds and assets, tangible or intangible, relative to the ownership or operation of any hospital, and funds raised or allocated for hospital purposes.

Mr. Weaver, Chairman of the Standing Committee on Youth and Student Activities, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gray (F):

H. 165. To propose an amendment to the Constitution relative to making persons over eighteen years of age adults.

(The above Bill was read a second time at length as required by the Constitution.)

By Mr. Clark:

S. 327. To amend Act No. 551, H. 321, Regular Session 1967 (Acts 1967, p. 1300), which act creates the Alabama Council of the Arts, so as to change the composition of the membership of such council.

By Mr. Vacca:

S. 415. To provide for the licensing and regulation of certified social workers and social workers; to establish and define the duties and powers of the State Board of Social Work Examiners; to make violation of this Act a misdemeanor, and prescribe a penalty therefor.

Mr. Lindsey, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hawkins (With Substitute):

S. 300. To amend further Sections 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provision of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans.

Mr. Lindsey, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

By Mr. Gilmore:

S. 602. To further amend Act No. 173, H. 311, Regular Session 1945, (Acts 1945, p. 304), so as to add a representative from AMVETS to the State Board of Veterans Affairs.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reid (R) (with notice and proof):

H. 555. Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically providing for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

By Mr. Foshee:

S. 606. To provide funds for clerical hire for the circuit clerk of all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census.

By Mr. Carr (with notice and proof):

S. 646. To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and proceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court. METHOD OF TRANSFER:

By Mr. Dozier:

S. 659. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

By Mr. Malone:

S. 663. Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census.

By Mr. Littleton:

S. 664. Providing expense allowances for members of the governing bodies of counties having populations of not less than 10,660 nor more than 10,900, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

By Mr. Littleton:

S. 665. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

By Messrs. Pierce and Jones:

S. 667. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

By Mr. Owen:

S. 669. Relating to counties having a population of not less than 57,000 nor more than 61,000; authorizing the county governing body of such counties to provide the bailiff of the Circuit Court of such counties additional compensation.

By Mr. Wilson:

S. 696. Relating to the Fourteenth Judicial Circuit, providing further for the salaries of the court reporters of said circuit.

By Mr. Fine (with notice and proof):

S. 699. To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

By Mr. Baker (with notice and proof):

S. 704. Relating to DeKalb County; fixing the salaries of Judge of Probate Court, Circuit Clerk, Tax Assessor, Tax Collector and Judge

of Inferior Court, and to provide payment of such salaries; and providing for a referendum thereon.

By Mr. Pelham (with Notice and proof):

S. 705. To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof:

By Mr. Wilson:

S. 714. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

By Mr. Lindsey:

S. 744. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Tax Collector and Tax Assessor and to provide for the payment of the same for said officers of such counties.

By Mr. O'Bannon:

S. 745. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

By Mr. Owen:

S. 747. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance and an additional clerk hire allowance for the circuit clerk.

By Mr. Owen:

S. 749. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for additional expense allowance for the tax collector and tax assessor.

By Mr. Givhan:

S. 757. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide that charitable funds contributed to such county may be used to carry out the provisions of Act No. 394, H. 204, Regular Session 1957 (Acts 1957, p. 539).

By Mr. O'Bannon:

S. 758. To authorize the incorporation in any county in this state having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census of one or more public corporations for hospital purposes, including the acquisition, financing, owning, operating and/or leasing of hospitals, clinics, sanatoria, nursing homes, offices for persons engaged in the diagnosis, treatment or cure of sick or injured persons and buildings to house or service equipment used for the diagnosis or treatment of sick or injured persons or the records of such diagnosis or treatment or research with respect to any of the foregoing, or for dormitories or residences for hospital personnel and students, together with all real property for

the location or better utilization of a hospital, medical clinic, buildings, parking areas, garages, storage facilities, outbuildings, machinery, equipment, furniture and fixtures useful or desirable in the operation of any of the aforesaid facilities; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to provide for the offices of Chairman and Vice Chairman of the board of directors of such corporation; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, all lease agreements made by such corporation and all revenues derived from such leases, and the income and properties of such corporation; to provide for the dissolution of such corporation; to exempt such corporations from the laws of this State governing usury or limiting interest rates and competitive bidding; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, any funds and assets, tangible or intangible, relative to the ownership or operation of any hospital, and funds raised or allocated for hospital purposes.

By Mr. O'Bannon:

S. 759. To authorize the incorporation in any county in this state having a population of not less than 50,000 nor more than 100,000 according to the most recent federal decennial census of one or more public corporations for hospital purposes, including the acquisition, financing, owning, operating and/or leasing of hospitals, clinics, sanatoria, nursing homes, offices for persons engaged in the diagnosis, treatment or cure of sick or injured persons and buildings to house or service equipment used for the diagnosis or treatment of sick or injured persons or the records of such diagnosis or treatment or research with respect to any of the foregoing, or for dormitories or residences for hospital personnel and students, together with all real property for the location or better utilization of a hospital, medical clinic, buildings, parking areas, garages, storage facilities, outbuildings, machinery, equipment, furniture and fixtures useful or desirable in the operation of any of the aforesaid facilities; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to provide for the offices of Chairman and Vice Chairman of the board of directors of such corporation; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, all lease agreements made by such corporation and all revenues derived from such leases, and the income and properties of such corporation; to provide for the dissolution of such corporation; to exempt such corporations from the laws of this State governing usury or limiting interest rates and competitive bidding; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, any funds and assets, tangible or intangible, relative to the ownership or operation of any hospital, and funds raised or allocated for hospital purposes.

By Mr. Baker:

S. 761. To provide an additional expense allowance for the Circuit Judges of the Ninth Judicial Circuit.

By Mr. Baker:

S. 762. To provide for an additional expense allowance for the District Attorney of the Ninth Judicial Circuit.

By Mr. Baker:

S. 763. To provide an expense allowance for the District Attorney of the Thirty-eighth Judicial Circuit.

By Mr. Baker:

S. 764. To provide for an expense allowance for the Circuit Judge of the Thirty-eight Judicial Circuit.

By Mr. Lindsey (with notice and proof):

S. 765. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of a member or members of the Choctaw Council Commission or governing body of Choctaw County, Alabama.

By Mr. Horne:

S. 715. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the last federal decennial census; requiring all members, officers and employees of any chamber of commerce or of any committee, board, agency or subsidiary of any chamber of commerce in said county to be residents of the county.

BILLS ON THIRD READING

The Bill:

S. 523. To name and designate a certain structure in the Alabama Heart Hospital at the Medical Center of the University of Alabama in Birmingham as the "Spain Tower."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Baker	Gilmore	Littleton	Register
Branyon	Givhan	Lybrand	Shelby
Carr	Harris	McLain	Vacca
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—31

Nays:

—0

Mr. Bailes requested and received unanimous consent to add the names of all Senators as co-sponsors of the above Bill, S. B. 523.

RESOLUTION

Mr. Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 82. CHANGING THE NAME OF THE GEORGE C. WALLACE TRADE SCHOOL OF CULLMAN COUNTY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution in Cullman, now designated as the George C. Wallace Trade School of Cullman County, shall be hereafter designated and known as the George C. Wallace State Technical Community College.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

On motion of Mr. Wilson, the Rules were suspended and the Resolution was adopted by the Senate.

ADOPTION OF RESOLUTIONS

The Resolution:

H. J. R. 163. IN APPRECIATION OF THE SERVICE OF MR. O. C. HELMS UPON HIS RETIREMENT.

was again read and, on motion of Mr. Pelham, was adopted by the Senate.

MOTIONS IN WRITING

Mr. Dominick offered the following Motion in Writing, to-wit:

MOTION IN WRITING

Notice is writing having been given on the last legislative day motion is now made to change Senate Rule 18 to read as follows:

Rule 18. A motion may be made at any time that debate on a pending measure shall cease at a certain hour and a vote be taken on the measure. No more than one such motion shall be received during any one hour. The consideration of such motion shall not exceed thirty minutes, when a vote shall be taken thereon; and if two-thirds of the members elected shall vote to limit debate, then said motion shall have been adopted by the Senate.

Which was read and referred to the Standing Committee on Rules.

Mr. Dominick offered the following Motion in Writing, to-wit:

MOTION IN WRITING

Notice having been given on the previous legislative day, motion is now made to amend Senate Rule 66 as follows:

"RULE 66. Every bill making an appropriation from the state treasury or increasing or decreasing state revenue shall, before any vote is taken thereon by the Senate in committee, having endorsed thereon or attached thereto a reliable estimate of the amount of money involved therein, and the anticipated increase or decrease in public spending or the increase or decrease in revenue collections under the provisions of the bill. The estimate (or fiscal note) shall be prepared by a legislative fiscal officer, and the estimate (or fiscal note) endorsed on the bill or attached thereto shall be printed on the calendar of bills on third reading immediately following the title of the bill."

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 72. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 77. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Baker	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Cook	Harris	McLain	Vacca	
Dominick	Hawkins	Melton	Weaver	
Dozier	Horne	Noonan	Wilson	
Edington	Jones			—25

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Fine, further consideration of the Bill, S. B. 268, was indefinitely postponed by the Senate.

On motion of Mr. Register, further consideration of the Bill, S. B. 37, was indefinitely postponed by the Senate.

On motion of Mr. Baker, further consideration of the Bill, S. B. 168, was indefinitely postponed by the Senate.

On motion of Mr. Foshee, further consideration of the Bill, H. B. 987, was indefinitely postponed by the Senate.

On motion of Mr. Pierce, further consideration of the Bill, H. B. 826, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 628. Relating to counties having a population of not less than 45,500 nor more than 52,000 inhabitants according to the most recent federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	Malone	Weaver	
Cook	Horne	Melton	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 220. To apply only in counties having a population of not less than 21,000 nor more than 22,000 inhabitants; providing for additional expense allowances for members of the board of equalization payable from the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Foshee	Lybrand	Pierce	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 470. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 N, Range 18 E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Gilmore	Jones
Baker	Dominick	Givhan	King
Branyon	Edington	Harris	Lindsey
Carr	Foshee	Horne	Lybrand

McLain	Owen	Vacca	Wilder	
Melton	Pierce	Weaver	Wilson	
O'Bannon	Shelby			—25
Nays:				—0

The Bill:

H. 547. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Baker	Givhan	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Cook	Horne	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Dozier	Lindsey			—25

Nays:	—0
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The Bill:

H. 567. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Baker	Gilmore	McLain	Pierce	
Carr	Givhan	Melton	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays:	—0
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The Bill:

H. 660. To amend Act No. 93, H. 77, approved July 1, 1969, which authorized and requires the Court of County Commissioners, Board of Revenue or other like governing body of Geneva County to provide Clerk-hire allowances for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County, so as to increase the amount of such allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Foshee	Littleton	Pierce
Baker	Givhan	Lybrand	Register
Carr	Harris	McLain	Shelby
Clark	Hawkins	Malone	Weaver
Dominick	Horne	Melton	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 75. To amend Act No. 803, H. 1258 of the Regular Session of 1961 (Acts of 1961, p. 1166), an Act which applies in counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized, amending such Act so as to provide further for the time and manner of commencing contest of elections and providing for the breaking of the seal on voting machines and the making of records of the count thereof when such machines are needed for subsequent elections.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce
Bailes	Gilmore	Lybrand	Register
Branyon	Givhan	Malone	Shelby
Carr	Harris	Melton	Vacca
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

S. 76. To amend Code of Alabama 1940, Title 51, Sections 879 and 882, so as to withdraw and take away from the director of revenue of Jefferson County all duties, liabilities and responsibilities relative to the issuance, recording and reporting of marriage licenses, and to place such duties, liabilities and responsibilities on the probate judge of such county; and to provide for the transfer of marriage license records from the director of revenue of Jefferson County to the probate judge of such county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Edington	Gilmore
Bailes	Cook	Fine	Givhan
Baker	Dominick	Foshee	Harris

Hawkins	Lybrand	Pelham	Vacca	
Horne	Malone	Pierce	Wilder	
King	Melton	Shelby	Wilson	
Littleton	O'Bannon			—25
Nays:				—0

The Bill:

H. 918. Relating to all counties having a population of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census; to provide for the compensation of the county superintendent of education.

was taken up.

Mr. Lindsey offered the following amendment to the Bill, H. B. 918, to-wit:

AMENDMENT TO H. B. 918

Strike the period at the end of the title and insert in lieu thereof the following:

; and providing a retroactive effect therefor.

Strike Section 3 and insert in lieu thereof the following:

Section 3. This Act shall be retroactive to June 30, 1973.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Pierce	
Carr	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

Nays: —0

And said Bill, H. B. 918, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 848. To further amend Section 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42) as amended, which Act provides further

for the compensation of members of the county board of education in certain counties having a population of not less than 16,000 nor more than 16,250 inhabitants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 468. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect the ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the power to levy and collect each year an additional tax of three-fourths of one per centum based upon the value of the property therein as fixed for state taxation, and the further power to increase in the future the rate at which ad valorem taxes are levied provided that any increase is first approved by an act of the Legislature and by a majority vote of the qualified electors in the City of Mountain Brook.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	Malone	Register	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	O'Bannon	Weaver	
Cook	Horne	Owen	Wilder	
Dominick	King	Pelham	Wilson	
Dozier	Littleton			—25

Nays:

—0

The Bill:

H. 811. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Register	
Baker	Givhan	Malone	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Horne	Noonan	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 813. To repeal Act No. 948, H. 1017, Regular Session 1951 (Acts 1951, p. 1618), an act relating to counties having populations of not less than 30,000 nor more than 33,500, according to the 1950 or any subsequent federal decennial census and having two courthouses; providing for the appointment of deputies or clerks for the offices of the tax assessor, tax collector and circuit clerk of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Harris	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 814. To provide for the appointment of a deputy or clerk for the circuit clerk of all counties having populations of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; and to provide for retroactive effect of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Owen	
Bailes	Gilmore	Lybrand	Pierce	
Baker	Givhan	McLain	Register	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 850. Relating to all counties having a population of not less than 34,100 nor more than 34,900, according to the most recent federal decen-

nial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Gilmore	Lybrand	Pierce	
Baker	Givhan	McLain	Register	
Branyon	Harris	Malone	Shelby	
Clark	Horne	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 930. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Shelby	
Baker	Gilmore	McLain	Vacca	
Branyon	Givhan	Malone	Weaver	
Carr	Harris	Noonan	Wilder	
Clark	Horne	O'Bannon	Wilson	
Cook	Jones			—25

Nays: —0

The Bill:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Lybrand	Shelby	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 527. Relating to counties having a population of 500,000 or more inhabitants, according to the most recent federal decennial census; to provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in such counties shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 576. To amend Section 1.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Jones	Owen	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

S. 503. Relating to Etowah County; providing that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Gilmore
Bailes	Clark	Edington	Givhan
Branyon	Cook	Fine	Harris

Hawkins	Lybrand	Pierce	Weaver	
Horne	Malone	Register	Wilder	
King	Noonan	Vacca	Wilson	
Littleton	Owen			—25

Nays: —0

The Bill:

S. 504. To amend Section 2 of Act No. 398, H. 876, Regular Session, 1955, (Acts 1955, p. 933), an act relating to Etowah County, creating the governing body of such county, said Section 2 thereof providing for the election and term of office of the president of such governing body.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Gilmore	Lybrand	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 659. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances.

was taken up.

Mr. Lindsey offered the following amendment to the Bill, H. B. 659, to-wit:

AMENDMENT TO H. B. 659

Strike the period at the end of the title and insert in lieu thereof the following:

; and providing a retroactive effect therefor.

Strike Section 3 and insert in lieu thereof the following:

Section 3. This Act shall be retroactive to June 30, 1973.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Gilmore	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, H. B. 659, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	Lindsey	Pierce
Baker	Foshee	Lybrand	Register
Carr	Gilmore	McLain	Shelby
Clark	Givhan	Melton	Weaver
Cook	Hawkins	Noonan	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 820. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of five (5) Directors for the county transit authority provided for by said Act, to provide for the appointment of one director of such authority by each of the three largest participating municipalities in such county, to provide for the initial terms of office of such Directors, to provide for the termination of the term of office of the directors of any existing authority and the election of new directors for such authority, and to provide for the dissolution of such authority and the disposition of its property.

was taken up.

Mr. Dominick offered the following amendment to the Bill, H. B. 820, to-wit:

AMENDMENT TO H. B. 820

Amend the last sentence in Section 5 to strike the words "ninety days" and substitute in lieu thereof the words "one hundred and eighty days".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Fine	Lybrand	Register
Baker	Gilmore	McLain	Vacca
Carr	Harris	Malone	Weaver
Clark	Hawkins	Noonan	Wilder
Cook	Jones	O'Bannon	Wilson
Dominick	King		

—25

Nays:

—0

And said Bill, H. B. 820, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Clark	Dominick
Bailes	Carr	Cook	Edington

Fine	Jones	Melton	Shelby	
Gilmore	King	Noonan	Vacca	
Givhan	Lindsey	Owen	Wilder	
Harris	Lybrand	Pierce	Wilson	
Hawkins	McLain			—25
Nays:				—0

The Bill:

S. 506. To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Malone	Weaver	
Clark	Horne	Melton	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25
Nays:				—0

The Bill:

S. 511. Relating to Wilcox County; providing an additional expense allowance for the chairman and members of the Wilcox County Commission or other like governing body.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Edington	Jones			—25
Nays:				—0

The Bill:

S. 520. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham
Baker	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Shelby
Carr	Harris	Melton	Vacca
Clark	Hawkins	Noonan	Weaver
Dominick	Jones	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 524. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of the Tax Collector and or the Tax Assessor of Choctaw County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Lybrand	Pierce
Baker	Gilmore	McLain	Shelby
Carr	Givhan	Melton	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 533. To authorize the county governing body in any county having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census to create a county development fund.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Lybrand	Pierce
Baker	Gilmore	McLain	Vacca
Branyon	Givhan	Melton	Weaver
Clark	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 534. Relating to all counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decen-

nial census, providing for an expense allowance for members of the county commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Baker	Givhan	Malone	Shelby	
Branyon	Harris	Melton	Vacca	
Clark	Horne	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 535. Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	Lindsey	Pierce	
Baker	Fine	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 536. To authorize the Baldwin County governing body to appoint a Baldwin County Industrial Development Commission, to prescribe the powers and duties of and grant funds to said commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Gilmore	Jones
Bailes	Dominick	Givhan	Lindsey
Branyon	Dozier	Harris	Littleton
Carr	Foshee	Horne	McLain

Malone	Owen	Shelby	Wilder	
Melton	Pierce	Weaver	Wilson	
Noonan	Register			—25
<i>Nays:</i>				—0

The Bill:

S. 537. To authorize the Baldwin County Commission to regulate the minimum size of lots and the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Baldwin County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	McLain	Register	
Baker	Givhan	Malone	Shelby	
Branyon	Harris	Melton	Vacca	
Carr	Horne	Noonan	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	Lindsey			—25
<i>Nays:</i>				—0

The Bill:

S. 539. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Baker	Gilmore	McLain	Vacca	
Branyon	Givhan	Melton	Weaver	
Carr	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25
<i>Nays:</i>				—0

The Bill:

S. 541. Relating to all counties with a population of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to provide an additional expense allowance for the coroner of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pierce
Bailes	Fine	Lybrand	Register
Baker	Gilmore	McLain	Shelby
Branyon	Givhan	Melton	Vacca
Clark	Harris	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dominick	Jones		

—25

Nays:

—0

The Bill:

H. 437. To provide for a secretarial assistant for the district attorney of the 26th Judicial Circuit, establishing the compensation for said position and making the provisions of this Act retroactive to July 1, 1972.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon
Bailes	Edington	Littleton	Pierce
Baker	Foshee	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Malone	Weaver
Cook	Harris	Noonan	Wilder
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 522. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to provide that patients at institutions for the insane and mentally retarded and patients at veterans' hospitals shall have free use of all public fishing lakes and public recreational facilities in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	O'Bannon
Bailes	Edington	Lindsey	Pelham
Baker	Fine	Lybrand	Pierce
Branyon	Foshee	McLain	Shelby
Carr	Givhan	Melton	Weaver
Clark	Harris	Noonan	Wilder
Cook	Horne		

—25

Nays:

—0

The Bill:

S. 529. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than

25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

was taken up.

Mr. Dozier offered the following amendment to the Bill, S. B. 529, to-wit:

AMENDMENT TO S. B. 529

In Section 3 of the bill, delete the figure "\$300.00" and insert in lieu thereof the following:

\$250.00

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	Lindsey			—25

Nays:

—0

And said Bill, S. B. 529, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham	
Bailes	Fine	Lybrand	Pierce	
Baker	Foshee	McLain	Shelby	
Branyon	Gilmore	Melton	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones			—25

Nays:

—0

The Bill:

H. 670. To permit banks now or hereafter situated in Washington County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Foshee	Jones
Bailes	Cook	Gilmore	Lindsey
Baker	Domjnick	Harris	Lybrand
Branyon	Edington	Hawkins	McLain

Malone	O'Bannon	Register	Weaver	
Melton	Owen	Vacca	Wilson	
Noonan	Pierce			—25

Nays: —0

The Bill:

H. 810. To provide an additional expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	Lybrand	Register	
Branyon	Gilmore	Malone	Shelby	
Clark	Givhan	Melton	Weaver	
Cook	Harris	Noonan	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 889. Relating to CONECUH County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 921. Relating to Conecuh County, to provide Clerical Assistance for the Tax Assessor such allowance to be payable out of the General Funds of the County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Gilmore	Jones	
Bailes	Dominick	Givhan	Lindsey	
Branyon	Dozier	Hawkins	Littleton	
Carr	Foshee	Horne	Lybrand	

McLain	Owen	Shelby	Weaver	
Melton	Pelham	Vacca	Wilder	
O'Bannon	Pierce			—25

Nays: —0

The Bill:

H. 922. To provide an additional clerical allowance to the Circuit Clerk of Conecuh County such allowance to be payable out of the General Funds of the County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 923. To authorize the sheriff of Autauga County to collect and retain the fees and allowance prescribed by law for feeding prisoners, to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 957. To further amend Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), as amended, which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Foshee
Bailes	Clark	Edington	Givhan
Branyon	Cook	Fine	Harris

Horne	Malone	Pelham	Vacca	
Jones	Melton	Register	Weaver	
Lindsey	O'Bannon	Shelby	Wilder	
Lybrand	Owen			—25
Nays:				—0

The Bill:

H. 1003. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the judge of intermediate courts in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Register	
Baker	Givhan	McLain	Shelby	
Branyon	Harris	Melton	Weaver	
Carr	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 1008. To allow prospective jurors to be excused without the presence of the defendant in criminal cases in the Thirty-seventh Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	Lybrand	Shelby	
Branyon	Gilmore	McLain	Weaver	
Carr	Givhan	Melton	Wilder	
Cook	Harris	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1009. Relating to the method of giving notice of the requirement of attendance of jury service in the Thirty-seventh Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Gilmore	
Baker	Cook	Fine	Givhan	
Branyon	Dominick	Foshee	Harris	

Horne	McLain	Pelham	Vacca	
King	Malone	Register	Wilder	
Littleton	Noonan	Shelby	Wilson	
Lybrand	O'Bannon			—25
Nays:				—0

The Bill:

H. 1010. To regulate further the excusing of persons from jury service in the Thirty-seventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Baker	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25
Nays:				—0

The Bill:

H. 1011. To abolish the drawing of special venires in capital cases in the Thirty-seventh Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Clark	Harris	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	King			—25
Nays:				—0

The Bill:

H. 722. To regulate further the compensation of registrars in Houston County.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 722, to-wit:

AMENDMENT TO H. B. 722

Amend H. B. 722 by deleting Section 2 and substituting in lieu thereof the following:

"Section 2. Six days annual sick leave to be paid only by Houston County at a rate of \$10.00 per day shall be paid each member of the Board of Registrars."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Gilmore	McLain	Register	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, H. B. 722, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Register	
Baker	Gilmore	McLain	Vacca	
Branyon	Givhan	Melton	Weaver	
Carr	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1012. Relating to criminal procedure in the Thirty-seventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Weaver	
Clark	Harris	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1013. To apply only in the circuit court of the Thirty-seventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and

the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Littleton	Register
Baker	Foshee	Lybrand	Vacca
Branyon	Gilmore	Malone	Weaver
Clark	Givhan	Melton	Wilder
Cook	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1015. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Lybrand	Pierce
Baker	Gilmore	McLain	Shelby
Branyon	Harris	Malone	Weaver
Clark	Hawkins	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 1029. Relating to counties having populations of not less than 95,000, nor more than 115,000, according to the most recent federal decennial census; to provide a monthly expense allowance for the bailiff in the county court of such counties; and providing a retroactive effect therefor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Gilmore	Jones
Baker	Dominick	Givhan	Lindsey
Branyon	Dozier	Harris	Lybrand
Carr	Foshee	Horne	Malone

Melton	Owen	Register	Vacca	
Noonan	Pelham	Shelby	Wilder	
O'Bannon	Pierce			—25
Nays:				—0

The Bill:

H. 1030. To amend Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), as amended, which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classed on a population basis, so as to provide further for the compensation of members of such board; and providing a retroactive effect therefor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	Malone	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Harris	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 1036. To provide for the transfer of funds from the Public Highway and Traffic Funds to the Gasoline Funds by the governing body of counties having a population of not less than 22,000 and not more than 22,500 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Givhan	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Dominick	King			—25

Nays: —0

The Bill:

H. 1050. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for the members of the county board of registrars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Clark	Dominick
Bailes	Branyon	Cook	Dozier

Foshee	King	Noonan	Shelby	
Givhan	Littleton	O'Bannon	Vacca	
Harris	Lybrand	Pelham	Weaver	
Hawkins	McLain	Pierce	Wilder	
Horne	Malone			—25
<i>Nays:</i>				—0

The Bill:

H. 1051. Relating to counties having a population of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census; to provide for the compensation and certain expenses of the register of the circuit court in any such county, payable from county funds; and providing for certain other duties of such register.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham	
Bailes	Foshee	Lybrand	Register	
Baker	Givhan	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dominick	King			—25
<i>Nays:</i>				—0

The Bill:

H. 1052. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for members of the county board of equalization.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Givhan	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Jones	O'Bannon	Wilson	
Dominick	King			—25
<i>Nays:</i>				—0

The Bill:

H. 1180. Relating to Pickens County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Cook	Dozier
Bailes	Clark	Dominick	Foshee

Gilmore	Lindsey	O'Bannon	Shelby	
Givhan	Littleton	Owen	Vacca	
Hawkins	McLain	Pelham	Weaver	
Horne	Malone	Pierce	Wilson	
Jones	Melton			—25

Nays: —0

The Bill:

H. 1088. To alter, redefine and reduce the corporate limits of the City of Rainbow City so as to exclude therefrom any and all territory lying within the boundaries of St. Clair County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1089. To provide that no municipality whose corporate limits do not lie within or extend into St. Clair County shall have or exercise police jurisdiction or powers in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Baker	Givhan	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Pelham	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 1090. To amend Section 11 of Act No. 1043, H. 1901, Regular Session 1971, (Acts 1971, p. 1851), providing for a liquor tax in counties of a certain population, so as to provide that all revenue collected under this act shall be deposited in the county General Fund; to make this amendment retroactive.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Cook	Dozier	
Bailes	Carr	Dominick	Fine	

Gilmore	Lindsey	O'Bannon	Shelby	
Givhan	Lybrand	Pelham	Weaver	
Harris	McLain	Pierce	Wilder	
Horne	Malone	Register	Wilson	
Jones	Melton			—25
Nays:				—0

The Bill:

S. 548. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 548, to-wit:

AMENDMENT TO S. 548

Amend Section 1 beginning with "1 Deputies" and in lieu thereof insert "8 Deputies".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Givhan	McLain	Register	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Melton	Weaver	
Dominick	Horne	Noonan	Wilder	
Dozier	King			—25

Nays: —0

And said Bill, S. B. 548, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Owen	
Bailes	Gilmore	Lybrand	Pierce	
Baker	Givhan	McLain	Register	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Melton	Weaver	
Cook	Jones	Noonan	Wilder	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 553. Relating to Monroe County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon
Bailes	Foshee	Lindsey	Pierce
Baker	Gilmore	Littleton	Register
Branyon	Givhan	Lybrand	Shelby
Carr	Harris	McLain	Weaver
Cook	Hawkins	Melton	Wilder
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1144. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants, according to the most recent federal decennial census; providing that any person may use on any boat any motor up to six (6) horsepower on any state-owned lake within said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham
Bailes	Gilmore	McLain	Pierce
Branyon	Givhan	Malone	Shelby
Clark	Harris	Melton	Vacca
Cook	Horne	Noonan	Weaver
Dominick	Jones	Owen	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1197. Relating to Calhoun County; to provide further for the salary of certain officials of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Fine	Lindsey	Pierce
Baker	Foshee	Lybrand	Register
Branyon	Gilmore	Malone	Shelby
Clark	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilder
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1209. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens in Limestone County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham
Bailes	Fine	Lybrand	Register
Baker	Foshee	McLain	Shelby
Branyon	Gilmore	Malone	Vacca
Carr	Harris	Noonan	Weaver
Cook	Horne	O'Bannon	Wilson
Dominick	Jones		

—25

Nays:

—0

The Bill:

H. 1244. To amend the Title and Sections 7, 11, 14 and 22 of Act No. 780 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, governing airport authorities incorporated in counties having a population of not less than 110,000 nor more than 165,000 according to the last or any subsequent federal decennial census, which sections pertain, respectively, to powers of such authorities, bonds of such authorities, use of proceeds from the sale thereof and other matters so as to clarify and grant powers regarding the issuance of bonds and notes and regarding industrial development and other business projects undertaken by such authorities and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act, as amended, regardless of subsequent changes in the population of the county in which such authority was incorporated.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce
Baker	Gilmore	McLain	Register
Branyon	Givhan	Melton	Shelby
Carr	Harris	Noonan	Vacca
Clark	Hawkins	O'Bannon	Wilder
Dominick	Horne	Pelham	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 584. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Morgan County.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Fine	Horne
Bailes	Cook	Foshee	Jones
Baker	Dominick	Gilmore	Littleton
Carr	Edington	Harris	Lybrand

McLain	O'Bannon	Shelby	Weaver
Melton	Pelham	Vacca	Wilson
Noonan	Register		

—25

Nays:

—0

The Bill:

S. 588. Relating to the DeKalb County Inferior Court; changing the name of this court to DeKalb County District Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Baker	Gilmore	Lybrand	Pierce
Carr	Givhan	McLain	Vacca
Clark	Harris	Malone	Weaver
Cook	Hawkins	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

S. 589. Relating to DeKalb County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register
Baker	Gilmore	McLain	Shelby
Carr	Givhan	Melton	Vacca
Clark	Hawkins	O'Bannon	Weaver
Cook	Horne	Pelham	Wilder
Dozier	Jones	Pierce	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

S. 590. Relating to DeKalb County; to amend Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Edington	Givhan
Baker	Cook	Foshee	Harris
Carr	Dominick	Gilmore	Hawkins

Horne	McLain	Pelham	Weaver	
King	Malone	Pierce	Wilder	
Lindsey	Noonan	Register	Wilson	
Lybrand	O'Bannon			—25
<i>Nays:</i>				—0

The Bill:

S. 604. To further amend Sections 1 and 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, P. 1074), as amended, which authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant so as to provide further for additional assistants to the circuit clerk and provide for their compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Bailes	Foshee	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	O'Bannon	Weaver	
Clark	Horne	Pelham	Wilder	
Dominick	King	Pierce	Wilson	
Dozier	Littleton			—25
<i>Nays:</i>				—0

The Bill:

S. 605. To further amend Section 1 of Act No. 88, S. 224, Regular Session (Acts 1967, p. 420) which provides clerk hire allowance for certain county officers in certain counties classified on a population basis, so as to provide additional clerk hire.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Givhan	McLain	Vacca	
Branyon	Harris	Melton	Weaver	
Carr	Hawkins	Noonan	Wilder	
Clark	Horne	Owen	Wilson	
Dominick	Jones			—25
<i>Nays:</i>				—0

The Bill:

S. 608. To authorize the Baldwin County governing body to appoint a county tourism commission which will promote travel to Baldwin County, to prescribe the powers and duties of and to grant funds from the county governing body to the tourism commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dominick	Jones	Pierce	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 610. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Baker	Foshee	McLain	Register	
Branyon	Gilmore	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 566. To provide further for the procedure for redeeming lands sold for taxes in Morgan County; to transfer certain duties of the probate judge of said county to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 566, to-wit:

SUBSTITUTE FOR S. B. 566

A BILL TO BE ENTITLED AN ACT

To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The procedure for the redemption of lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, shall be the same as provided in Code of Alabama 1940, Title 51, Chapter 14, Article 5, as amended, except that all such duties relating to tax sales and the redemption of land from tax sales as are required of and performed by the probate judge of such counties, shall be transferred to and performed by the tax collector, and the probate judge shall be relieved of all such duties.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall take effect on the first day of the month next following the date of its enactment, but it shall not affect proceedings that were begun before such date.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Lybrand	Shelby
Baker	Foshee	Malone	Vacca
Carr	Gilmore	Noonan	Weaver
Clark	Harris	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

And said Bill, S. B. 566, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pierce
Bailes	Fine	McLain	Register
Baker	Foshee	Malone	Shelby
Branyon	Gilmore	Noonan	Vacca
Carr	Harris	O'Bannon	Wilder
Cook	Horne	Pelham	Wilson
Dominick	Jones		

—25

Nays:

—0

The Bill:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon
Bailes	Fine	Littleton	Pierce
Baker	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Carr	Harris	Malone	Weaver
Cook	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

S. 627. To authorize the governing body of DeKalb County to pay all expenses incurred by the Circuit Court Clerks and Registers in their respective state organizations.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce
Baker	Gilmore	McLain	Register
Carr	Givhan	Malone	Vacca
Clark	Hawkins	Noonan	Weaver
Cook	Horne	Owen	Wilder
Dozier	Jones	Pelham	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

S. 628. To amend Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657), which Act provides for the compensation of the members and clerk of the jury commission of DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	McLain	Pierce
Baker	Givhan	Malone	Shelby
Carr	Harris	Melton	Vacca
Clark	Horne	O'Bannon	Weaver
Cook	Jones	Owen	Wilder
Dozier	Lindsey	Pelham	Wilson
Fine	Littleton		

—25

Nays:

—0

The Bill:

S. 630. Relating to DeKalb County; fixing the salary of the chief deputy, deputies and other positions of the sheriff's office and providing the method of paying such salaries; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Baker	Foshee	King	Pelham	
Carr	Gilmore	Lindsey	Register	
Clark	Givhan	Lybrand	Vacca	
Cook	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 635. To permit banks now or hereafter situated in Choctaw County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Baker	Givhan	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 640. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pierce	
Bailes	Foshee	McLain	Shelby	
Baker	Gilmore	Malone	Vacca	
Branyon	Givhan	Noonan	Weaver	
Carr	Hawkins	Owen	Wilder	
Cook	Horne	Pelham	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

S. 645. Relating to Marshall County; to provide for the compensation of the Judge of the County Court of Marshall County, Alabama, to take effect upon the expiration of the term of the incumbent Judge of the County Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce
Bailes	Gilmore	McLain	Shelby
Baker	Harris	Melton	Vacca
Carr	Horne	Noonan	Weaver
Cook	Jones	Owen	Wilder
Dozier	King	Pelham	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

S. 648. To authorize and provide for the establishment, maintenance, operation, and financing of a Public Law Library in Marshall County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham
Bailes	Gilmore	Lybrand	Pierce
Baker	Givhan	McLain	Register
Carr	Hawkins	Melton	Vacca
Cook	Horne	Noonan	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

S. 649. Relating to Marshall County; to provide for the payment to the Judge of the County Court for expenses of attending seminars, conferences, schools and payment of dues for memberships in County Judge's Organizations.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Baker	Givhan	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	Pelham	Wilder	
Dozier	King	Pierce	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

S. 650. Relating to Marshall County: The Circuit Judges of the 27th Judicial Circuit are authorized to appont not more than two (2) attorneys licensed to practice law in Alabama and are members of the Marshall County Bar Association as Warrant Issuing Magistrates with authority to issue warrants, search warrants and writs of arrest for Marshall County and to provide for their compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	McLain	Register	
Bailes	Gilmore	Malone	Shelby	
Baker	Givhan	Noonan	Vacca	
Carr	Hawkins	Owen	Weaver	
Cook	Horne	Pelham	Wilder	
Dominick	King	Pierce	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

S. 651. To authorize the Circuit Judges of the Circuit Court of Marshall County to appoint bailiffs and to provide for compensation of such bailiffs, to further define duties of bailiff and to authorize the use of bailiffs by the Judge of the County Court of Marshall County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Givhan	Melton	Register	
Carr	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 660. To provide for monthly compensation of the Chairman and Board members of the Rainbow City Gas, Water, and Sewer Board, in Etowah County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Littleton	Pierce
Baker	Gilmore	Lybrand	Register
Carr	Givhan	Malone	Vacca
Clark	Harris	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 661. Relating to the 14th judicial circuit, providing a secretary for the circuit judge.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	O'Bannon
Bailes	Edington	Lindsey	Pelham
Baker	Fine	Littleton	Register
Branyon	Foshee	McLain	Shelby
Carr	Givhan	Malone	Weaver
Clark	Harris	Noonan	Wilson
Cook	Horne		

—25

Nays:

—0

The Bill:

H. 1200. Relating to crimes and offenses; making it a misdemeanor for any person to dump, throw, place or leave garbage, trash, refuse, or other such debris upon any beach, public or private, within Baldwin County; and prescribing penalties for violating the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Lybrand	Pierce
Baker	Givhan	McLain	Register
Carr	Harris	Malone	Vacca
Clark	Horne	Melton	Weaver
Cook	Jones	Noonan	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1201. To promote the maintenance of Baldwin County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for

the dissemination in Baldwin County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Lybrand	Register	
Baker	Gilmore	McLain	Vacca	
Clark	Hawkins	Malone	Weaver	
Dominick	Horne	Melton	Wilder	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1210. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to amend Section 5 of Act No. 242, H. 310, Third Special Session 1971, (Acts 1971, p. 4511) forbidding the judge of probate from remitting certain funds to the State Highway Department, so as to provide for the removal of the expiration date of said act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 394. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	Lybrand	Shelby	
Branyon	Harris	McLain	Vacca	
Carr	Hawkins	Malone	Wilder	
Clark	Jones	O'Bannon	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 1256. To alter and rearrange the boundary lines of the city of Atmore, Alabama, so as to include within the corporate limits of said city all territories now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous to said city.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Register	
Branyon	Foshee	Lybrand	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1271. To allow branch banking under described conditions in Marshall County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Cook	Harris	Malone	Shelby	
Dominick	Horne	Melton	Weaver	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1293. To Alter or rearrange the boundary lines of the Town of Flomaton, Escambia County, Alabama, so as to include within the corporate limits of said Flomaton, Alabama all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Lybrand	Pierce	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Dozier	Horne	Noonan	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1323. Relating to Butler County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Givhan	McLain	Pierce	
Carr	Harris	Malone	Register	
Clark	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Weaver	
Dozier	King			—25

Nays: —0

The Bill:

H. 1324. Relating to Butler County; providing the members of the Butler County Commission with an additional per diem expense allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Bailes	Foshee	Malone	Shelby	
Baker	Givhan	Melton	Vacca	
Branyon	Harris	O'Bannon	Weaver	
Carr	Hawkins	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 1327. To provide that the Sumter County Commission may appropriate funds for clerk hire in the office of tax collector and tax assessor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Branyon	Gilmore	McLain	Register	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1366. Relating to Pickens County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Givhan	Melton	Shelby	
Clark	Harris	Noonan	Vacca	
Dominick	Hawkins	O'Bannon	Weaver	
Dozier	King	Owen	Wilder	
Edington	Littleton			—25

Nays:

—0

The Bill:

H. 1368. To alter or rearrange the boundary lines of the Town of Reform, Pickens County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Pickens County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Shelby	
Clark	Givhan	Melton	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1386. To further amend Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, p. 406), as amended, so as to further provide for deputies and assistants to the sheriff of Lee County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Lybrand	Pelham	
Carr	Gilmore	McLain	Pierce	
Clark	Givhan	Malone	Register	
Dominick	Harris	Noonan	Vacca	
Dozier	Horne	O'Bannon	Weaver	
Edington	King			—25

Nays:

—0

The Bill:

S. 543. To establish and provide for a Schedule of compensation for Deputy District Attorneys for the Sixth Judicial Circuit.

was taken up.

Mr. Shelby offered the following substitute for the Bill, S. B. 543, to-wit:

SUBSTITUTE FOR S. B. 543

A BILL
TO BE ENTITLED
AN ACT

To create and establish offices of Deputy District Attorney No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit, and to provide for the appointment and for the duties and compensation of such offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The offices of Deputy District Attorney No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit are hereby created. These Deputy District Attorneys shall be appointed by and shall serve at the pleasure of the District Attorney of the Sixth Judicial Circuit.

Section 2. The total annual compensation of each such Deputy District Attorney shall be computed by the criteria set out in Section 3 hereinbelow. Of the total annual compensation of each such Deputy District Attorney, each shall be paid such annual salary by the State of Alabama as is otherwise provided by law. The remainder of the said annual compensation of each such Deputy District Attorney shall be paid by Tuscaloosa County, which sum shall be paid from the general funds of said County in equal installments as the salaries of other county officers are paid.

Section 3. The total annual compensation to be received by each Deputy District Attorney shall be computed by the use of Levels and Steps. Levels shall refer to the amount of legal experience which such Deputy District Attorney had at the time he was appointed to such office, or has at the time in the future at the time that he is appointed to such office. It is intended to entitle an attorney with applicable legal experience to commence such office at a higher rate of pay than one who has less applicable legal experience. Steps shall refer to the amount of time that such Deputy District Attorney has served in the office as such Deputy District Attorney or the length of time that such service as such officer shall continue. It is intended by this provision to allow periodic increases in pay as incentive for such officer to continue to serve in such office.

(A) The District Attorney for the Sixth Judicial Circuit is authorized to hire Deputy District Attorneys without prior applicable legal experience at Level One, Step One of the Schedule, and to increase their compensation to that set forth in Level One, Step Two at the termination of one year's service in such office. Thereafter, increases in compensation for such Deputy District Attorneys shall be made annually at the rate of one step increments within the grade scale, provided the performance of such Deputy District Attorneys has been satisfactory to the District Attorney.

(B) The said District Attorney is authorized to hire Deputy District Attorneys with a minimum of one year and less than two years applicable legal experience at Level Two Step One of the Schedule,

and to increase the compensation for such Deputy District Attorneys to that set forth in Level Two, Step Two at the termination of one year's service in such office. Thereafter, increases in compensation for such Deputy District Attorneys shall be made annually at the rate of one step increments within the grade scale, provided the performance of such Deputy District Attorneys has been satisfactory to the District Attorney.

(C) The said District Attorney is authorized to hire Deputy District Attorneys with a minimum of two years and less than three years applicable legal experience at Level Three, Step One of the Schedule, and to increase the compensation for such Deputy District Attorneys to that set forth in Level Three, Step Two at the termination of one year's service in such office. Thereafter, increases in compensation for such Deputy District Attorneys shall be made annually at the rate of one step increments within the grade scale, provided the performance of such Deputy District Attorneys has been satisfactory to the District Attorney.

(D) The said District Attorney is authorized to hire Deputy District Attorneys with a minimum of three years and less than four years applicable legal experience at Level Four, Step One of the Schedule, and to increase the compensation for such Deputy District Attorneys to that set forth in Level Four, Step Two at the termination of one year's service in such office. Thereafter, increases in compensation for such Deputy District Attorneys shall be made annually at the rate of one step increments within the grade scale, provided the performance of such Deputy District Attorneys has been satisfactory to the District Attorney.

(E) The Schedule hereinabove referred to, consisting of Levels and Steps shall be as follows:

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
LEVEL 1	\$10,900	11,500	12,100	12,700	13,300	13,900	14,500	15,100
LEVEL 2	11,500	12,100	12,700	13,300	13,900	14,500	15,100	15,700
LEVEL 3	12,100	12,700	13,300	13,900	14,500	15,100	15,700	16,300
LEVEL 4	12,700	13,300	13,900	14,500	15,100	15,700	16,300	16,900
	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	
LEVEL 1	\$15,700	16,300	16,900	17,500	18,100	18,700	19,300	
LEVEL 2	16,300	16,900	17,500	18,100	18,700	19,300	19,900	
LEVEL 3	16,900	17,500	18,100	18,700	19,300	19,900	20,500	
LEVEL 4	17,500	18,100	18,700	19,300	19,900	20,500	21,100	

(F) The appropriate Level which applies to each Deputy District Attorney serving as such officer on the date that this Act becomes effective will be determined by the length of his applicable legal experience at the time he was employed as such officer.

(G) The appropriate Step which applies to each Deputy District Attorney serving as such officer on the date that this Act becomes effective will be determined by the length of his service as such Deputy District Attorney. That is, it will be presumed that he would have achieved each step increase in pay had this Schedule been in force at the time of his being employed as such officer.

(H) In the event that any former Public Defender or former Assistant Public Defender shall be employed as a Deputy District Attorney after the date on which this Act becomes effective, his Level will be determined by the length of applicable legal experience which he had at the time he was employed in the office of Public Defender.

(I) In the event that any former Deputy District Attorney or former Public Defender or former Assistant Public Defender shall be employed as a Deputy District Attorney after the effective date of this Act, his Step shall be determined by the length of his previous service as a Deputy District Attorney and/or his service in the Office of Public Defender. Provided, however, no previous experience may be used in reaching both Step and Level.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Baker	Fine	Lybrand	Pelham	
Branyon	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Shelby	
Clark	Givhan	Melton	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Horne			—25

Nays: —0

And said Bill, S. B. 543, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1229. To provide for Supernumerary Judges of the County Courts in the various counties of the State of Alabama having a population of more than 150,000 and less than 180,000 according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1229, to-wit:

COMMITTEE AMENDMENT TO H. 1229

Amend H. 1229 by inserting "50%" in lieu of "75%" wherever it appears in the Synopsis and Section 3.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	Lybrand	Shelby	
Carr	Gilmore	Malone	Vacca	
Clark	Givhan	Melton	Wilder	
Cook	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, H. B. 1229, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Clark	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1387. To authorize the governing body of any county with populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, to provide for the re-registration of electors of such counties; to provide procedures for such re-registration.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Weaver	
Cook	Horne	Owen	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1388. Relating to counties having populations of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census, authorizing the governing bodies of such counties to provide an allowance of not less than \$600.00 nor more than \$700.00 per month for a computer operator serving all county offices in such counties, to be paid from the general funds of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Lybrand	Pelham	
Branyon	Gilmore	McLain	Pierce	
Carr	Givhan	Melton	Shelby	
Cook	Harris	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1396. To authorize establishment of branch banks in the City of Pell City in St. Clair County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Register	
Baker	Givhan	Melton	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1399. To amend Section 9 of Act no. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), which provides for the reorganization of the governing body of St. Clair County, so as to provide that the associate members of the county commission shall be elected by the qualified electors of the entire county but shall be resident citizens and electors of specified districts.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1402. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Baker	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Carr	Gilmore	Malone	Vacca	
Cook	Givhan	Melton	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1407. Providing that the rules of procedure pertaining to the Circuit Court shall apply in the Madison County Court; amending Section 9 of Act No. 661 of the 1957 Regular Session.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Horne	Noonan	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1415. To authorize the governing body of all counties having a population of not less than 12,000 nor more than 12,800 according to the last or any subsequent federal decennial census, to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1416. Amending Section 1 of Act No. 121, H. 22, Special Session 1971 (Acts 1971, p. 204), fixing the fee for pistol permits in counties

having a population of not less than 10,660 nor more than 10,900, so as to provide for the distribution of fees collected by issuance of such permits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Cook	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1417. To provide for the compensation of circuit court bailiffs in all counties having a population of not less than 10,660 nor more than 10,900 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Gilmore	Lybrand	Pierce	
Carr	Givhan	McLain	Shelby	
Clark	Hawkins	Melton	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1418. To provide that the county commissions of all counties having populations of not less than 10,660 or no more than 10,900, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Baker	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Cook	Harris	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1419. To authorize the sheriff of counties having a population of not less than 10,660 nor more than 10,900 to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham
Bailes	Foshee	Malone	Pierce
Baker	Givhan	Melton	Register
Carr	Hawkins	Noonan	Shelby
Clark	Jones	O'Bannon	Weaver
Dominick	King	Owen	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1420. To provide the tax assessor and tax collector of Marengo County an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham
Bailes	Gilmore	McLain	Register
Branyon	Givhan	Malone	Vacca
Clark	Harris	Melton	Weaver
Cook	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1471. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Judge of the Circuit Court; providing a limitation on amounts so paid; and providing further for such payments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	McLain	Register
Clark	Harris	Malone	Vacca
Cook	Hawkins	Melton	Weaver
Dozier	Horne	O'Bannon	Wilder
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 1398. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

was taken up.

Mr. Carr offered the following amendment to the Bill, H. B. 1398, to-wit:

AMENDMENT TO H. B. 1398

Strike Section 1 of the bill in its entirety and insert in lieu the following:

Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of \$8,400 per annum. The other six deputies now serving in the office of the sheriff of said county shall each receive an annual salary of \$7,800 per annum. The salaries of the chief deputy and other deputies shall be paid in equal monthly installments out of the general fund of the county and all prior payments heretofore paid for such salaries are hereby validated and ratified.

At the end of Section 2 of the bill, add the following sentence:

Such deputies shall be in addition to the chief deputy and the six other deputies now serving in the office of the sheriff.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	Melton	Register	
Baker	Gilmore	Malone	Shelby	
Carr	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

And said Bill, H. B. 1398, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Baker	Givhan	McLain	Vacca	
Carr	Harris	Malone	Weaver	
Cook	Horne	Melton	Wilder	
Dozier	King	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1470. To amend the title and Section 1 of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2906) so as to further provide for

expense allowances for certain officials in counties having a population of not less than 36,500 nor more than 39,200.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1470, to-wit:

AMENDMENT TO H. B. 1470

Amend H. B. 1470 Section 2 by adding at the end thereof the following sentence:

"The county governing body may at its discretion begin payment, whether retroactive or not, and to any official included in the provisions of this Act at any time after the passage of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2901)."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Baker	Foshee	Littleton	Pelham	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Melton	Shelby	
Clark	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

And said Bill, H. B. 1470, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Foshee	Malone	Pierce	
Baker	Gilmore	Melton	Register	
Branyon	Givhan	Noonan	Vacca	
Carr	Harris	O'Bannon	Weaver	
Cook	Horne	Owen	Wilder	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1472. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing that any Circuit Judge, who maintains his principal office at the courthouse, therein may appoint one additional Bailiff to serve the circuit court; to prescribe the pay for the service of said Bailiff and the manner thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1473. To abolish the drawing of special venires in capital cases in the Eighteenth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Baker	Fine	Littleton	Register	
Branyon	Foshee	Malone	Shelby	
Carr	Gilmore	Melton	Vacca	
Cook	Givhan	O'Bannon	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

H. 73. Relating to the method of giving notice of the requirement of attendance of jury service in the 15th Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Baker	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Gilmore	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 74. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to authorize the Board of Registrars to meet five days each week.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	McLain	Shelby
Carr	Givhan	Malone	Weaver
Cook	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 476. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen
Bailes	Fine	Lybrand	Pierce
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Melton	Vacca
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 702. To authorize the Clay County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Register
Carr	Gilmore	McLain	Shelby
Clark	Givhan	Malone	Weaver
Dominick	Hawkins	Melton	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 949. To repeal Act No. 65, H. 205, Regular Session 1955 (Acts 1955, p. 298), approved June 21, 1955, entitled, "An Act To define,

regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Malone	Vacca
Clark	Hawkins	Melton	Weaver
Cook	Horne	Noonan	Wilder
Dozier	Jones		

—25

Nays: —0

The Bill:

H. 980. To further amend Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), as amended, which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham
Bailes	Fine	McLain	Pierce
Branyon	Foshee	Melton	Register
Carr	Givhan	Noonan	Vacca
Cook	Harris	O'Bannon	Weaver
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays: —0

The Bill:

H. 981. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce
Baker	Fine	McLain	Register
Carr	Foshee	Malone	Shelby
Clark	Gilmore	Melton	Weaver
Cook	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays: —0

The Bill:

H. 1140. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 1141. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerks hire allowance for the Probate Judge of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Lybrand	Pierce
Branyon	Givhan	Malone	Register
Carr	Harris	Melton	Vacca
Clark	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1142. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham
Bailes	Foshee	Lybrand	Register
Baker	Givhan	McLain	Shelby
Branyon	Harris	Malone	Weaver
Carr	Horne	Melton	Wilder
Cook	Jones	O'Bannon	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 796, to-wit:

COMMITTEE AMENDMENT TO H. B. 796

Amend H. B. 796, Article I, Section 1.06, by adding the following sentence as the last sentence in the paragraph:

"Such second election shall be conducted, the vote canvassed, the result declared and certificates transmitted as provided herein for the first election."

Further amend H. B. 796, Article I, Section 1.03, in the first sentence by deleting the words, "Ninety days and not more than one hundred and eighty days", and inserting in lieu thereof the following words; "forty days and not more than sixty days".

Further amend H. B. 796, Article I, Section 1.07, by the deletion of the entire section and by the substitution of the following therefor:

"1.07. Election of first council and first mayor; term of office.— Upon the adoption of such form of government, the probate judge with whom the petition was filed shall call an election to be governed by this act, to be held no later than the first Tuesday in September preceding the expiration of the term of office of the members of the city governing body serving when the mayor-council form of government prescribed in this act is adopted, the expense thereof to be paid by such city, for the election by the qualified voters of such city of nine councilmen, said councilmen to be known as district councilmen, and a mayor. Candidates shall qualify as provided in section 3.02 hereof

and shall have the qualifications and eligibility set forth in sections 3.03 and 3.04 hereof. Each candidate shall state in his statement of candidacy as provided in section 3.02 hereof whether he seeks the office of councilman at large or district councilman in the latter event shall state for which district he desires to become a candidate. Each voter in the election may cast one vote for a candidate from his district. Any district councilman candidate receiving a majority of the total votes cast from the district in which he is a candidate shall be elected as a district councilman from his district. In the event that nine candidates should fail to receive such a majority then and in that event those candidates for the council receiving a majority shall be elected, and another election shall be held upon the same day of the week two weeks thereafter to be called and held in the same mode and manner and under the same rules and regulations. In the second election there shall be two candidates for each place upon the council to be filled in such second election; and these candidates shall be the ones who received the highest number of votes but who were not elected at the first election. The candidate or candidates for the council receiving the highest number of votes cast in the second election shall be elected, so that in the first and second elections only nine councilmen shall be elected. The councilmen so elected shall take office on the first Monday in October following the election. Each councilman shall hold office for four years, but shall serve until his successor shall have qualified. A councilman may succeed himself in office.

The candidate for mayor receiving the largest number of votes for the office at the first election shall be elected thereto, provided such candidate receives a majority of all votes cast for such office. If at the first election no candidate receives a majority of the votes cast for the office of mayor at such election, then another election shall be held upon the same day of the week two weeks thereafter to be called and held in the same mode and manner and under the same rules and regulations. In the second election there shall be two candidates for the office of mayor; and each candidate shall be the two who receive the highest number of votes for said office at the first election.

Notwithstanding any notice requirements of any other statute or statutes concerning municipal elections, a notice published by the probate judge, with whom the certificate of adoption was filed at any time not less than twenty (20) days prior to said election, shall be deemed sufficient notice of said election. Said notice shall, in substance, state the month, day and year of said election and the purpose for which it is called. Said notice shall further recite that the city has been divided into districts as provided under this act and state where a copy of the district division is on file. Said notice shall be published not less than one time in a newspaper published in the city, and if no newspaper is published in the city, then by posting notices in three public places within the municipality. The election of the first council shall, except as otherwise provided herein as to the call and notice of said election, the date or dates of elections and run off elections, the qualification of the candidates and other matters specifically declared to be to the contrary in this act, be held and conducted, in the same manner as provided by law in respect to municipal elections in cities of this state which have a population of its size according to the latest Federal Decennial Census for cities not organized under a commission form of government. All municipal officers of the city shall have the same duties and responsibilities as they have with respect to municipal elections. The call of said election by the probate judge shall be sufficient to require any municipal officer or officers to comply with their duties and responsibilities with regard to all municipal elections, including the designation of places of voting, appointment of election, officers and other matters concerning the elections. Said officer or officers shall

issue any orders necessary to cause all election requirements to be met. Notwithstanding any provision of any other statute or statutes there shall be no requirement that, in the election of the first council, an elector must vote only in the district of his residence. The districts from which the nine (9) district councilmen shall be elected shall be, as near as practicable, of equal population according to the last Federal Decennial Census. The first election of councilmen under this act shall be from the initial council districts as specifically described and set forth in Appendix One hereof.

Further amend H. B. 796, Article I, Section 1.08, by the substitution of the word "nine" for the word "thirteen" wherever it appears in the section.

Further amend H. B. 796, Article III, Section 3.01, by the deletion of the first sentence in the section and by the substitution of the following sentence therefor:

"The council shall consist of nine members who shall be known as district councilmen."

Further amend H. B. 796, Article III, Section 3.08 by adding the following sentence as the last sentence in the section:

"Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the mayor and neither the Council nor any member thereof shall give orders to any subordinates of the mayor, either publicly or privately."

Further amend H. B. 796, Article IV, Section 4.01 by the substitution of the word "nine" for the word "thirteen" wherever it appears in the section.

Further amend H. B. 796, Article IV, Section 4.04 by substituting the words "Twenty Five Thousand Dollars (\$25,000.00)" for the words "Thirty Thousand Dollars (\$30,000.00)."

Further amend H. B. 796, Article VII, Section 7.01, by the deletion of the entire section and by the substitution of the following therefor:

"7.01. Number established.—There shall be established nine (9) council districts to be designated respectively as district number 1, district number 2, district number 3, district number 4, district number 5, district number 6, district number 7, district number 8, and district number 9, which districts shall have as nearly as is reasonable, the same population. The designation and boundaries of the initial council districts shall be as specifically described and set forth in Appendix One hereof."

Further amend H. B. 796, Article VII, Section 7.02, by substituting the word "nine" for the word "ten" wherever it appears in the section.

Further amend H. B. 796, Article IX, Section 9.02 by deleting the entire paragraph and by the substitution of the following therefor:

"9.02. Right of mayor and other officers in council.—The mayor, the heads of all departments, and such other officers of the city as may be designated by the council, shall be entitled to attend meetings of the council, but shall have no vote therein. The mayor shall have the right to take part in the discussion of all matters coming before the council, and the department heads and other officers shall be entitled to take part in all discussions of the council relating to their respective offices, departments or agencies."

Further amend H. B. 796 by the deletion of "Appendix One" and by the substitution of the attached "Appendix One" therefor.

APPENDIX ONE

COUNCIL DISTRICTS

COUNCIL DISTRICT 1

Beginning at the point of intersection of US 231 and the city limits in Section 33, Range 18, Township 17, proceed southerly along the centerline of that highway to intersection with Mt. Meigs Road, thence proceed westerly along the centerline of that road to intersection with Ann Street, thence proceed southerly along the centerline of that street to intersection with Thrasher Street, thence proceed easterly along the centerline of that street to the termination of Thrasher Street, thence continue to proceed easterly along the northern boundary of Section 16, Range 18, Township 16, to the northeast corner of said Section 16, thence proceed southerly along the eastern boundary of said Section 16 to intersection with Harrison Road, thence proceed easterly along the centerline of that road to intersection with Perry Hill Road, thence continue to proceed easterly along the northern boundary of the southeastern quarter of Section 15, Range 18, Township 16, to intersection with the city limits, thence proceed easterly along the city limits and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District One.

COUNCIL DISTRICT 2

Beginning at the point of intersection of US 231 and the city limits in Section 33, Range 18, Township 17, proceed southerly along the centerline of that highway to intersection with Mt. Meigs Road, thence proceed westerly along the centerline of that road to intersection with Ann Street, thence proceed southerly along the centerline of that street to intersection with Thrasher Street, thence proceed westerly along the centerline of that street to intersection with Buford Street, thence proceed northwesterly along the centerline of that street to intersection with Mt. Meigs Road, thence proceed southwesterly along the centerline of that road to intersection with California Street, thence proceed northerly along the centerline of that street to intersection with Upper Wetumpka Road, thence proceed southwesterly along the centerline of that road to the intersection of the eastern boundary of Section 7, Range 18, Township 16, thence proceed northerly along that boundary to the northeast corner of said Section 7, thence continue to proceed northerly along the eastern boundary of Section 6, Range 18, Township 16, to the northeastern corner of said Section 6, thence continue to proceed northerly along the eastern boundary of the southeastern quarter of Section 31, Range 18, Township 17, to the northeastern corner of said quarter section, thence proceed westerly along the northern boundary of said quarter section to the intersection of the city limits, thence proceed northeasterly along the city limits, and continue to proceed along the city limits in such fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Two.

COUNCIL DISTRICT 3

Beginning at the point of intersection of Interstate 65 and the city limits at the Alabama River, proceed southerly along the centerline of that highway to intersection with the Louisville and Nashville Railroad, thence proceed southwesterly along the centerline of the right of way of that railroad to intersection with the northern boundary of Section 14, Range 17, Township 16, thence proceed easterly along that boundary

to the northeast corner of said Section 14, thence continue to proceed easterly along the centerline of Clayton Avenue to intersection with Holcombe Street, thence proceed southerly along the centerline of that street to intersection with West Jeff Davis Avenue, thence proceed westerly along the centerline of that avenue to intersection with Goode Street, thence proceed southerly along the centerline of that street to intersection with Early Avenue, thence proceed easterly to its end and then continue along an extension of said centerline to the centerline of Clanton Avenue and continue along the centerline of that avenue to intersection with McDonough Street, thence proceed northerly along the centerline of that street to the intersection with Finley Avenue, thence proceed westerly along the centerline of that avenue to intersection with Lawrence Street, thence proceed northerly along the centerline of that street to intersection with Noble Street, thence proceed easterly along the centerline of that street to intersection with McDonough Street, thence proceed northerly along the centerline of that street to intersection with East Jeff Davis Avenue, thence proceed easterly along the centerline of that avenue to intersection with South Decatur Street, thence proceed northerly along the centerline of that street to intersection with East South Street, thence proceed easterly along the centerline of that street to intersection with Union Street, thence proceed northerly along the centerline of that street to intersection with Grove Street, thence proceed easterly along the centerline of that street to intersection with Hall Street, thence proceed northerly along the centerline of that street to intersection with Adams Avenue, thence proceed easterly along the centerline of that avenue to intersection with the Central of Georgia Railroad, thence proceed southeasterly along the centerline of the right of way of that railroad to intersection with Yougene Street, thence proceed easterly along the centerline of that street to intersection with Buford Street, thence proceed northwesterly along the centerline of that street to intersection with Mt. Meigs Road, thence proceed southwesterly along the centerline of that road to intersection with California Street, thence proceed northerly along the centerline of that street to intersection with Upper Wetumpka Road, thence proceed southwesterly along the centerline of that road to intersection with the eastern boundary of Section 7, Range 18, Township 16, thence proceed northerly along that boundary to the northeast corner of said Section 7, thence continue to proceed northerly along the easterly boundary of Section 6, Range 18, Township 16, to the northeastern corner of said Section 6, thence continue to proceed northerly along the eastern boundary of the southeastern quarter of Section 31, Range 18, Township 17, to the northeastern corner of said quarter section, thence proceed westerly along the northern boundary of said quarter section to intersection with the city limits, thence proceed westerly along the city limits, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Three.

COUNCIL DISTRICT 4

Beginning at the point of intersection of Interstate 65 and the city limits at the Alabama River, proceed southerly along the centerline of that highway to intersection with the Louisville and Nashville Railroad, thence proceed southwesterly along the centerline of the right of way of that railroad to intersection with the northern boundary of Section 14, Range 17, Township 16, thence proceed easterly along that boundary to the northeast corner of said Section 14, thence continue to proceed easterly along the centerline of Clayton Avenue to intersection with Interstate 65, thence proceed southerly along the centerline of that highway to intersection with West Jeff Davis Avenue, thence proceed westerly along the centerline of that avenue to intersection with Oak Street, thence proceed southerly along the centerline of that street to

intersection with Early Street, thence proceed westerly along the centerline of that street to intersection with Mobile Road, thence proceed southwesterly along that road to intersection with Hayneville Road, thence proceed westerly along the centerline of that road to intersection with the Louisville and Nashville Railroad, thence proceed southerly along the centerline of the right of way of that railroad to intersection with the northern boundary of Section 27, Range 17, Township 16, thence proceed westerly along the city limits and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Four.

COUNCIL DISTRICT 5

Beginning at the point of intersection between Clayton Avenue and Interstate 65, proceed southerly along the centerline of Interstate 65 to intersection with West Jeff Davis Avenue, thence proceed westerly along the centerline of that avenue to intersection with Oak Street, thence proceed southerly along the centerline of that street to intersection with Early Avenue, thence proceed westerly along the centerline of that avenue to intersection with Mobile Road, thence proceed southwesterly along the centerline of that road to intersection with Shreve Street, thence proceed southeasterly along the centerline of that street to intersection with More Street, thence proceed southwesterly along the centerline of that street to intersection with Atlantic Coast Line Railroad, thence proceed southeasterly along the centerline of the right of way of that railroad to intersection with Edgemont Avenue, thence proceed easterly along the centerline of that avenue to intersection with Goode Street, thence proceed northerly along the centerline of that street to intersection with West Jeff Davis Avenue, thence proceed easterly along the centerline of that avenue to intersection with Holcombe Street, thence proceed northerly along the centerline of that street to intersection with Clayton Avenue, thence proceed westerly along the centerline of that avenue to intersection with Interstate 65, thus arriving at the point of origin. The area included within this boundary shall compose Council District Five.

COUNCIL DISTRICT 6

Beginning at the point of intersection of Court Street and Fleming Road or the city limits, proceed northerly along the centerline of Court Street to intersection with Edgemont Avenue, thence proceed westerly along the centerline of that avenue to intersection with the Atlantic Coast Line Railroad, thence proceed northwesterly along the centerline of the right of way of that railroad to intersection with More Street, thence proceed northeasterly along the centerline of that street to intersection with Shreve Street, thence proceed northwesterly along the centerline of that street to intersection with Mobile Road, thence proceed northeasterly along the centerline of that road to intersection with Hayneville Road, thence proceed easterly along the centerline of that road to intersection with the Louisville and Nashville Railroad, thence proceed southwesterly along the centerline of the right of way of that railroad to intersection with the northern boundary of Section 27, Range 17, Township 16, or Simmons Drive, thence proceed southwesterly along the city limits, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Six.

COUNCIL DISTRICT 7

Beginning at the point of intersection of Court Street and Fleming Road or the city limits, proceed northerly along the centerline of Court Street to intersection with Edgemont Avenue, thence proceed westerly

along the centerline of that avenue to intersection with Goode Street, thence proceed northerly along the centerline of that street to intersection with Early Avenue, then proceed easterly to its end and then continue along an extension of said centerline to the centerline of Clanton Avenue and continue along the centerline of that avenue to intersection with Gilmer Avenue, thence proceed southerly along the centerline of that avenue to intersection with the northern boundary of the southern half of the northwest quarter of Section 19, Range 18, Township 16, thence proceed easterly along that boundary to intersection with Norman Bridge Road, thence proceed southerly along the centerline of that road to intersection with Edgemont Avenue, thence proceed easterly along the centerline of Edgemont Avenue, and continue to proceed easterly along the centerline of Glen Grattan Avenue to intersection with Woodley Road, thence proceed southeasterly along the centerline of that road to intersection with South Boulevard, thence proceed westerly along the centerline of that boulevard to intersection with Narrow Lane Road, thence proceed southerly along the centerline of that road to the northern boundary of the southern half of the northwestern quarter of Section 5, Range 18, Township 15, thence proceed westerly along that boundary or the city limits and continue to proceed along the city limits in such a fashion as to arrive at a point of origin. The area included within this boundary shall compose Council District Seven.

COUNCIL DISTRICT 8

Beginning at the point of intersection of the Central of Georgia Railroad and the city limits in Section 35, Range 18, Township 16, proceed northwesterly along the centerline of the right of way of that railroad to intersection with Vaughn Road, thence proceed westerly along the centerline of Carter Hill Road to intersection with Gail Street, thence proceed northerly along the centerline of that street to intersection with Jackson Street, thence proceed northerly along the centerline of that street to intersection with Grove Street, thence proceed westerly along the centerline of that street to intersection with Union Street, thence proceed southerly along the centerline of that street to intersection with East South Street, thence proceed westerly along the centerline of that street to intersection with South Decatur Street, thence proceed southerly along the centerline of that street to intersection with East Jeff Davis Avenue, thence proceed westerly along the centerline of that avenue to intersection with McDonough Street, thence proceed southerly along the centerline of that street to intersection with Noble Street, thence proceed westerly along the centerline of that street to intersection with Lawrence Street, thence proceed southerly along the centerline of that street to intersection with Finley Avenue, thence proceed easterly along the centerline of that avenue to intersection with McDonough Street, thence proceed southerly along the centerline of that street to intersection with Clanton Avenue, thence proceed westerly along the centerline of that avenue to intersection with Gilmer Avenue, thence proceed southerly along the centerline of that avenue to intersection with the northern boundary of the southern half of the northwest quarter of Section 19, Range 18, Township 16, thence proceed easterly along that boundary to the intersection with Norman Bridge Road, thence proceed southerly along the centerline of that road to intersection with Edgemont Avenue thence proceed easterly along the centerline of Edgemont Avenue and continue to proceed easterly along the centerline of Glen Grattan Avenue to the intersection with Woodley Road, thence proceed southeasterly along the centerline of that road to intersection with South Boulevard, thence proceed westerly along the centerline of that Boulevard to intersection with Narrow Lane Road, thence proceed southerly along the centerline of that road to intersection with the city limits at the northern boundary of the southeast quarter of Section 32, Range 18,

Township 16, thence proceed easterly along the city limits, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Eight.

COUNCIL DISTRICT 9

Beginning at the point of intersection of the Central of Georgia Railroad and the city limits in Section 35, Range 18, Township 16, proceed northwesterly along the centerline of the right of way of that railroad to intersection with Vaughn Road, thence proceed westerly along the centerline of Carter Hill Road to intersection with Gail Street, thence proceed northerly along the centerline of that street to intersection with Jackson Street, thence proceed northerly along the centerline of that street to intersection with Grove Street, thence proceed easterly along the centerline of that street to intersection with Hall Street, thence proceed northerly along the centerline of that street to intersection with Adams Avenue, thence proceed easterly along the centerline of that avenue to intersection with the Central of Georgia Railroad, thence proceed southeasterly along the centerline of the right of way of that railroad to intersection with Yougene Street, thence proceed easterly along the centerline of that street, and continue to proceed easterly along the centerline of Thrasher Street, and continue to proceed easterly along the northern boundary of Section 16, Range 18, Township 16, to the northeast corner of the said Section 16, thence proceed southerly along the eastern boundary of said Section 16 to intersection with Harrison Road, thence proceed easterly along the centerline of that road to intersection with Perry Hill Road, thence continue to proceed easterly along the northern boundary of the southeastern quarter of Section 15, Range 18, Township 16, to intersection with the city limits, thence proceed southerly along the city limits, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area included within this boundary shall compose Council District Nine.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Lvbrand	Shelby	
Baker	Gilmore	Malone	Vacca	
Branyon	Givhan	Melton	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

Mr. Pierce offered the following amendment to the Bill, H. B. 796, as amended, to-wit:

AMENDMENT TO H. B. 796, AS AMENDED

Amend H. B. 796, Article I, Section 1.02, by the deletion of the entire section and by the substitution of the following therefor:

1.02. Petition for election.—The filing of a petition signed by ten percent (10%) or more of the qualified electors of such city, asking that the proposition of the adoption of the mayor-council form of government for such city be submitted to the qualified voters thereof, with the judge of probate of the county in which such city is located, shall mandatorily require an election to be held as herein provided. When-

ever such a petition purporting to be signed by at least ten percent (10%) of the qualified voters of such city shall be presented to such judge of probate, he shall examine such petition and determine whether or not the same is signed by at least ten percent (10%) of the qualified voters of such city, and if such petition is signed by the requisite number of voters to require such an election, he shall within fifteen days from the receipt of such petition certify such fact to the governing body of the city for which such election is so petitioned, and the certificate of the judge of probate as to the sufficiency of said petition shall be final.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Balles	Fine	Littleton	Pierce
Branyon	Foshee	Lybrand	Shelby
Carr	Gilmore	McLain	Vacca
Cook	Givhan	Malone	Wilder
Dominick	Harris	Noonan	Wilson
Dozier	Hawkins		

—25

Nays:

—0

Mr. Pierce then offered the following amendment to the Bill, H. B. 796, as amended, to-wit:

AMENDMENT TO H. B. 796, AS AMENDED

Amend H. B. 796, Article I, Section 1.03 by the deletion of the entire section and by the substitution of the following therefor:

1.03. Call of election by governing body.—The governing body of the city shall immediately upon receipt of such certificate from the probate judge, by order, submit the question of the adoption of the mayor-council form of government for such city, under this act, at a special election to be held at a time specified in such proclamation, not less than forty days and not more than sixty days after the receipt of said certificate from said probate judge, unless a general or regular election is to be held within 90 days after receipt of such certificate, in which event the special election herein provided for shall be held at the same time as such general or regular election. Should the election not be called by orders of the governing body of the city within 10 days after receipt of such certificate, the judge of probate shall call such election by order at a time specified therein but not less than 40 days and not more than 60 days after the receipt by the governing body of the said certificate of the probate judge.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce
Baker	Foshee	McLain	Shelby
Branyon	Givhan	Melton	Vacca
Carr	Harris	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

Mr. Pierce then offered the following amendment to the Bill, H. B. 796, as amended, to-wit:

AMENDMENT TO H. B. 796, AS AMENDED

Amend H. B. 796, Article I, Section 1.07 by the deletion of the following paragraph:

"Each candidate shall state in his statement of candidacy as provided in section 3.02 hereof whether he seeks the office of councilman at large or district councilman in the latter event shall state for which district he desires to become a candidate."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Lybrand	Shelby
Branyon	Gilmore	Malone	Vacca
Carr	Givhan	Noonan	Weaver
Clark	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

Mr. Pierce then offered the following amendment to the Bill, H. B. 796, as amended, to-wit:

AMENDMENT TO H. B. 796, AS AMENDED

Amend H. B. 796, Article III, Section 3.02 by the deletion of the entire section and by the substitution of the following therefor:

"3.02. Statement of candidacy.—Any person desiring to become a candidate in any election for the office of councilman may become such candidate by filing in the office of the judge of probate of the county in which such city is situated, a statement in writing of such candidacy and an affidavit taken and certified by such judge of probate or by a notary public that such person is duly qualified to hold the office for which he desires to be a candidate. Such statement shall be filed at least 21 days before the day set for such election and shall be in substantially the following form: 'State of Alabama, _____ County. I, the undersigned, being first duly sworn, depose and say that I am a citizen of the City of _____, in said State and County, and reside at _____ in said City of _____, that I desire to become a candidate for the office of district councilman for the _____ district, in said city at the election for said office to be held on the _____ day of October next and that I am duly qualified to hold said office if elected thereto and I hereby request that my name be printed upon the official ballot at said election. Signed _____; Subscribed and sworn to before me by said _____ on this _____ day of _____, 19____, and filed in this office for record on said day. _____, Judge of Probate.' Said statement shall be accompanied by a qualifying fee in the amount of \$150.00, which fee shall be paid over by the judge of probate to the general fund of the city. At every such election all ballots to be used by voters shall be printed and prepared by the election commission or other body or official charged by law with the duty of conducting elections and at the expense of said city, and shall contain the names of all candidates directly underneath the words 'For

member of the council.' No name shall appear upon said ballot as a candidate for election except the names of such persons as have become candidates according to provisions as above set forth; No ballot shall be used at any such election except the official ballot prepared by the election commission or other body or official charged by law with the duty of conducting elections, except that the names of candidates may be suitably placed on voting machines if such machines are used to conduct such election. No primary election shall be held for the nomination of candidates for the office of councilman and candidates shall be nominated only as hereinabove provided."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	McLain	Shelby	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Melton	Weaver	
Cook	Harris	O'Bannon	Wilder	
Dozier	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

Mr. Pierce then offered the following amendment to the Bill, H. B. 796, as amended, to-wit:

AMENDMENT TO H. B. 796, AS AMENDED

Amend H. B. 796, Article III, Section 3.15 by deleting in the eighth line the word "present," and substituting therefor, the word "elected."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	Lybrand	Shelby	
Carr	Gilmore	Malone	Vacca	
Clark	Givhan	Melton	Wilder	
Cook	Harris	Noonan	Wilson	
Dozier	Hawkins			—25

Nays:

—0

Mr. Pierce then offered the following amendment to the Bill, H. B. 796, as amended, to-wit:

AMENDMENT TO H. B. 796, AS AMENDED

Amend H. B. 796, "Appendix One" by deletion of "Council district 7" description in its entirety and by the substitution of the following therefor:

COUNCIL DISTRICT 7

"Beginning at the point of intersection of the city limits and Court Street, proceed northerly along the centerline of that street to intersection with Edgemont Avenue, thence proceed westerly along the centerline of that Avenue to intersection with Goode Street, thence

proceed northerly along the centerline of that street to intersection with Early Avenue, thence proceed easterly to its end and then continue along an extension of said centerline to the centerline of Clanton Avenue and continue along the centerline of that Avenue to intersection with Gilmer Avenue, thence proceed southerly along the centerline of that Avenue to intersection with the northern boundary of the southern half of the northwest quarter of Section 19, Range 18, Township 16, thence proceed easterly along that boundary to intersection with Norman Bridge Road, thence proceed southerly along the centerline of that road to intersection with Fairview Avenue, thence proceed easterly along the centerline of that road to intersection with Woodley Road, thence proceed southeasterly along the centerline of that road to intersection with Narrow Lane Road, thence proceed southerly along the centerline of that road to intersection with the city limits, thence proceed southerly along the city limits boundary, and continue to proceed along the city limits in such a fashion as to arrive at the point of origin. The area contained within this boundary shall comprise Council District 7."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Shelby	
Baker	Gilmore	Malone	Vacca	
Carr	Givhan	Melton	Weaver	
Clark	Harris	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

Mr. Pierce then offered the following amendment to the Bill, H. B. 796, as amended, to-wit:

AMENDMENT TO H. B. 796, AS AMENDED

Amend H. B. 796, "Appendix One" by the deletion of "Council District 8", description in its entirety and by the substitution of the following therefor:

COUNCIL DISTRICT 8

"Beginning at the intersection of the Central of Georgia R. R. and the city limits in Range 18, Township 16, Section 35, proceed northwesterly along the centerline of the right of way of that railroad to intersection with Carter Hill Road thence proceed westerly along the centerline of that road to intersection with Gail Street, thence proceed northerly along the centerline of that street to intersection with Jackson Street, thence proceed northerly along the centerline of that street to intersection with Grove Street, thence proceed westerly along the centerline of that street to intersection with Union Street, thence proceed southerly along the centerline of that street to intersection with South Street, thence proceed westerly along the centerline of that street to intersection with South Decatur Street, thence proceed southerly along the centerline of that street to intersection with East Jeff Davis Avenue, thence proceed westerly along the centerline of that Avenue to intersection with McDonough Street, thence proceed southerly along the centerline of that street to intersection with Noble Street, thence proceed westerly along the centerline of that street to intersection with Lawrence Street, thence proceed southerly along the centerline of that

street to intersection with Finley Avenue, thence proceed easterly along the centerline of that Avenue to intersection with McDonough Street, thence proceed southerly along the centerline of that street to intersection with Clanton Avenue, thence proceed westerly along the centerline of that Avenue to intersection with Gilmer Avenue, thence proceed southerly along the centerline of that Avenue to intersection with the northern boundary of the southern half of the northwest quarter of Section 19, Range 18, Township 16, thence proceed easterly along that boundary to intersection with Normanbridge Road, thence proceed southerly along the centerline of that road to intersection with Fairview Avenue, thence proceed easterly along the centerline of that road to intersection with Woodley Road, thence proceed southeasterly along the centerline of that road to intersection with Narrow Lane Road, thence proceed southerly along the centerline of that road to intersection with the city limits, and continue to proceed southerly along the city limits in such a fashion as to arrive at the point of origin. The area contained within this boundary shall comprise Council District 8."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Baker	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	Melton	Vacca	
Dominick	Harris	Noonan	Wilder	
Dozier	Hawkins			—25

Nays: —0

And said Bill, H. B. 796, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	O'Bannon	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1066. To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

was taken up.

Mr. Jones offered the following amendment to the Bill, H. B. 1066, to-wit:

AMENDMENT TO H. B. 1066

Strike out in its entirety Section 11, and insert in lieu thereof the following:

Section 11. Protection Against Fraud.

Whoever with intent to deceive shall make any claim, statements, representations or reports required under this Act which are untrue, or shall falsify or permit to be falsified any record or records of this Retirement System shall be fined not to exceed one hundred dollars, or imprisoned in the Montgomery County Jail not to exceed six months, or both.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Owen	
Bailes	Fine	Lybrand	Pierce	
Baker	Gilmore	Malone	Shelby	
Branyon	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Jones			—25

Nays:

—0

Mr. Jones then offered the following amendment to the Bill, H. B. 1066, as amended, to-wit:

AMENDMENT TO H. 1066, AS AMENDED

In Section 6 (2) strike out in its entirety paragraph (a) and insert in lieu thereof the following:

(a) A member who has not reached his normal retirement date but who has completed fifteen years of creditable service and has attained age fifty-five in the case of a new member or in the case of a prior member in Class I, or age fifty in the case of a prior member in Class II, may be retired from service on an early retirement allowance not less than thirty nor more than ninety days next following receipt by the Commission of written application therefor made by the members.

Which was adopted.

Yeas 25; Nays 0

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Melton	Wilder	
Cook	Harris	Noonan	Wilson	
Dozier	Hawkins			—25

Nays:

—0

Mr. Jones then offered the following amendment to the Bill, H. B. 1066, as amended, to-wit:

AMENDMENT TO H. 1066, AS AMENDED

In Section 6 (1) (a) immediately after item ii insert the following:

(iii) In the case of a new member, attainment of age sixty and completion of twenty years of creditable service, or attainment of age seventy if earlier.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

Mr. Jones then offered the following amendment to the Bill, H. B. 1066, as amended, to-wit:

AMENDMENT TO H. B. 1066, AS AMENDED

In Section 6, (5) (a) strike out the last sentence of such paragraph, and insert in lieu thereof the following:

If such member or former member dies prior to his normal retirement date the survivor allowance shall be deferred to commence on said date and shall be payable to his spouse or children, as the case may be, who are eligible for such allowance on said date.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Harris	Malone	Weaver	
Clark	Hawkins	Melton	Wilder	
Dominick	Jones			—25

Nays: —0

Mr. Jones then offered the following amendment to the Bill, H. B. 1066, as amended, to-wit:

AMENDMENT TO H. 1066, AS AMENDED

In Section 8, strike out in its entirety the paragraph numbered (7), which was inserted by amendment.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	O'Bannon	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, H. B. 1066, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen	
Bailes	Fine	Lybrand	Pierce	
Baker	Gilmore	Malone	Shelby	
Branyon	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1199. Relating to Baldwin County; to provide further for the publication of notice before any public street, alley, highway or portion thereof located in Baldwin County can be vacated or abandoned.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Baker	Fine	Littleton	Pierce	
Branyon	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 678. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	O'Bannon	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Weaver	
Clark	Harris	Melton	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 611. To Repeal Section 17 of Act No. 1594, Regular Session 1971, thereby applying the provisions of this act to counties with populations of 600,000 inhabitants or more.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 650. To alter and extend the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alteration and extension.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Harris	McLain	Shelby	
Carr	Hawkins	Malone	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 818. To validate the attempted incorporation of the inhabitants of any territory lying within a county having a population of 600,000 or more as a municipal corporation, where any portion of said territory,

or its perimeter, lies within three miles of an existing city or town, and the Judge of Probate of said county has made an order that the inhabitants of said territory are incorporated as a town or city; provided however, that this act shall not apply to the incorporation of any municipality heretofore held to be invalid by a court of competent jurisdiction.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

H. 822. To amend Sections 1, 6, 7, and 9 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such city and for the widows and dependents of such officers and employees, to provide for a custodian of such fund and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Branyon	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Register	
Cook	Hawkins	Melton	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 854. To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal decennial census, for serving summons on witnesses; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dominick	Gilmore
Bailes	Clark	Dozier	Givhan
Baker	Cook	Fine	Hawkins

Jones	Lybrand	Pelham	Vacca	
King	McLain	Pierce	Weaver	
Lindsey	Melton	Register	Wilder	
Littleton	Noonan			—25
Nays:				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H 321. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and sends same herewith to the Senate:

S. 484. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 5 o'clock P. M., on motion of Mr. Bailes, in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday August 7, 1973, at 1 o'clock P. M.

TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, AUGUST 7, 1973

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Torrence H. Maxey, Minister, Capitol Heights United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Littleton	Pierce
Baker	Foshee	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Malone	Vacca
Clark	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	King		

—33

JOURNAL

On motion of Mr. Lybrand, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Sixth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Lybrand, leaves of absence were granted Messrs. Jones and Pelham for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 133. Urging the Secretary of the Army to rotate the command of the 30th Army Division between the States of Alabama, Mississippi and Tennessee.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 321. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 12. Opposing amnesty for deserters from the armed forces of the United States.

Also:

H. J. R. 57. Condemning the manner in which the Tuskegee Syphilis Study was conducted, requesting an end thereto and demanding that the participants be compensated by the United States Government.

Also:

H. J. R. 132. CONDEMNING PROPOSED FEDERAL RULES AND REGULATIONS TO PROTECT THE COMMON CROW.

Also:

H. J. R. 134. Deploring the System of Applying Birth Control Methods Without Proper Information.

Also:

H. J. R. 141. Relative to coordinating all educational agencies in the interest of improving the reading proficiency and communicative ability of our students in public schools.

Also:

H. J. R. 148. Expressing appreciation to Auburn University for its efforts in studying a more effective application of public technology to critical needs of State governments.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 848. To further amend Section 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42) as amended, which Act provides further for the compensation of members of the county board of education in certain counties having a population of not less than 16,000 nor more than 16,250 inhabitants.

Also:

H. 811. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Also:

H. 813. To repeal Act No. 948, H. 1017, Regular Session 1951 (Acts 1951, p. 1618), an act relating to counties having populations of not less than 30,000 nor more than 33,500, according to the 1950 or any subsequent federal decennial census and having two courthouses; providing for the appointment of deputies or clerks for the offices of the tax assessor, tax collector and circuit clerk of such counties.

Also:

H. 814. To provide for the appointment of a deputy or clerk for the circuit clerk of all counties having populations of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; and to provide for retroactive effect of this Act.

Also:

H. 850. Relating to all counties having a population of not less than 34,100 nor more than 34,900, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 930. To amend Section 1 of Act No. 1054, H. 1505, 1971 Regular Session (Acts 1971, p. 1902), which provides for an additional expense allowance of \$30.00 per month for each member of the county school board of counties having a population of not less than 34,100 nor more than 34,900; and to make the provisions of this amendatory act retroactive to September 7, 1971.

Also:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such counties.

Also:

H. 527. Relating to counties having a population of 500,000 or more inhabitants, according to the most recent federal decennial census; to provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in such counties shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Also:

H. 576. To amend Section 1.07 of Act No. 452 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Also:

H. 660. To amend Act No. 93, H. 77, approved July 1, 1969, which authorized and requires the Court of County Commissioners, Board of Revenue or other like governing body of Geneva County to provide Clerk-hire allowances for the clerk of the circuit court, the tax assessor, and the tax collector, of Geneva County, so as to increase the amount of such allowances.

Also:

H. 567. Relating to counties having a population of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 547. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 470. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 N, Range 18 E, Montgomery County, Alabama.

Also:

H. 220. To apply only in counties having a population of not less than 21,000 nor more than 22,000 inhabitants; providing for additional expense allowances for members of the board of equalization payable from the general funds of the county.

Also:

H. 628. Relating to counties having a population of not less than 45,500 nor more than 52,000 inhabitants according to the most recent

federal decennial census; providing that all compensation and amounts paid jurors in such counties shall, for the purpose of payment of taxes, be deemed to be reimbursement of expenses incurred while serving on the jury.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 162. MOURNING THE DEATH OF FORMER SENATOR O. J. (JOE) GOODWYN.

Also:

H. J. R. 163. In Appreciation of the Service of Mr. O. C. Helms Upon His Retirement.

Also:

H. J. R. 164. NAMING HIGHWAY 47 IN BALDWIN COUNTY "GULF SHORES PARKWAY."

Also:

H. J. R. 156. Mourning the Death of Five Rail Crewmen Killed Aboard the Birmingham Southern Railroad Train Derailed Near Mulga.

Also:

H. J. R. 158. Extending Best Wishes and Appreciation to Captain B. G. Bryant.

Also:

H. J. R. 159. MOURNING THE DEATH OF REV. PAUL WEEKLEY.

Also:

H. J. R. 160. Commending the Alabama YMCA Youth Legislature on its 25th Anniversary.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 484. To alter, rearrange and extend the boundary lines and corporate limits of the City of Bay Minette in Baldwin County, Alabama, so as to annex certain territory to the said City.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Fine:

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

Committee on Local Legislation No. 1.

By Mr. Malone:

S. 790. To create the office of Supernumerary Probate Judge in each county in Alabama having a population not less than 90,000 and not more than 100,000, according to the most recent federal decennial census or any succeeding federal census; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of compensation or salary of any county supernumerary probate judge.

Committee on Local Legislation No. 1.

By Messrs. Fine and Malone:

S. 791. To provide for a hemophilia treatment center and making an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Melton:

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECHU

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County; to provide further for deputies for the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. In lieu of any and all other deputies provided for by law, the sheriff of Conecuh County shall be entitled to employ a chief deputy who shall be paid out of the proceeds of Public Highway and Traffic Fund and any other fund as authorized by the county commission, and one regular deputy who shall be paid for in accordance with existing law.

Section 2. The county commission may authorize such additional deputies as it deems necessary.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECHU

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me August 2, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

By Mr. Melton:

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

Be It Enacted By The Legislature of Alabama:

Section 1. The governing body of Conecuh County is authorized to provide an additional clerk hire allowance of \$300.00 per month to the county judge of probate to be used for clerical assistance in the office of the judge of probate. This clerk hire allowance shall be payable out of the general fund of the county and shall be in addition to any other allowance for clerical assistance now provided.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 12, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

By Messrs. Givhan, Foshee, Branyon, Horne, Owen, Dozier and Hawkins:

S. 794. To create in the office of the governor the position of voting consultant to the governor; to describe the duties in connection with voter registration, elections and other matters; to make an appropriation which shall be expended solely for the compensation and expenses of such consultant and for legal counsel; providing further that none of such funds shall be expended in any manner for or against the candidacy of any person for public office.

Committee on Finance and Taxation.

By Mr. Foshee:

S. 795. Relating to motor vehicle insurance; providing definitions; requiring security by motor vehicle owners; requiring motor vehicle no-fault repair insurance and liability insurance up to certain limits and limiting tort liability; providing penalties for failure to show proof of security; providing personal injury protection benefits; providing for priority of payment of benefits; providing for tort exemptions and limitations on damages; providing for certain deductibles; providing for subrogation; providing that the insurance department shall adopt rules and regulations necessary to implement this act; providing rights of residents; providing that insurers file proposed manual, rules, rates and rating plans with the insurance department for approval; providing that insurers shall make certain rate reductions; providing for severability; providing an effective date.

Committee on Insurance.

By Messrs. Wilson, Cook, Hawkins, Gilmore, Dominick, King, Bailes and Vacca:

S. 796. To make a conditional appropriation for the establishment and operation of a Southern Products Merchandising Mart.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 797. To amend Section 10, Act No. 227, H. 2, Regular Session 1971 (Acts 1971, p. 523), which Act authorizes and provides for the promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Committee on Agriculture.

By Mr. Malone:

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 799. To give statutory recognition to the condominium form of ownership of real property in Barbour County and prescribe regulations therefor.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its enactment will be made, to wit:

The bill will give statutory recognition to the condominium form of ownership of real property in Barbour County and prescribe regulations therefor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1973.

JOEL P. SMITH.

Sworn to and subscribed before me August 1, 1973.

FRANCES T. RABREN,
Notary Public.

By Mr. Foshee:

S. 800. To require the State Highway Department to participate in the salary of one Assistant to the County Engineer in each County upon application of the County Commission or other like governing body in an amount equal to fifty (50%) percent of the annual salary of such Assistant not to exceed Five Thousand (\$5,000.00) Dollars per annum and to establish qualifications for such Assistant to the County Engineer.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Horne:

S. 801. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Act. No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Be It Enacted by the Legislature of Alabama:

Section 1. JURISDICTION.

There is hereby established a Small Claims Division of the Court of Common Pleas of Lee County. This division of this Court shall be

presided over by the Judge of said Court. The Small Claims Division of said Court shall be responsible for the disposition of all claims in amounts not exceeding \$250.00. The judge or clerk or his deputy shall be authorized to issue summons and complaints, and all appropriate writs to commence a suit, and in addition to issue process of garnishment, writs of detinue and attachment, after judgement, or as provided by law.

Section 2. SERVICE OF PROCESS.

Personal service of process shall be executed by any lawful officer or constable, and the fees and mileage provided by law for service of process in the circuit courts shall be charged and paid to said constable. Service of any process in the Small Claims Division is effected on the person to be served by delivering to him a copy thereof with a copy of the complaint or other initial pleading, or by leaving such copies at either his usual place of abode or place of employment with some person of the family above 15 years of age or in charge of such place of employment, and in either event informing such person of their contents. In the alternative, process may be made by certified mail, addressed to the defendant's proper mailing address. In the event the defendant shows to the satisfaction of the Court that he was not properly served and did not know of the existence of such suit before judgment was entered against him, and also shows to the satisfaction of the Court that he has a good defense to the claim, in whole or in part, the Court shall set aside any judgment by default and allow the defendant to interpose his defense; but, it shall not be necessary to reserve the defendant. After service of process has been executed and perfected on the defendant, was required by law, the defendant shall appear and answer thereto within five days, and the process shall so recite.

Section 3. COURT COSTS.

The filing fee for claims of amounts not exceeding \$50.00 shall be \$5.00. The filing fee for claims for amounts not exceeding \$100.00 shall be \$10.00. The filing fee for claims for amounts in excess of \$100.00 shall be \$15.00. Such filing fees shall be paid in advance by the plaintiff and reimbursed to him if collected from the defendant. No other costs or charges except for service of process shall be assessed the plaintiff or claimant in the Small Claims Division; but costs for other papers or writs filed shall be set by a schedule of costs to be fixed by the Judge.

Section 4. PROCEDURES AND FORMS.

The procedures and forms of the Small Claims Division shall be prescribed by the Judge of the Court, and the Clerk or his deputy shall assist the plaintiff in the preparation thereof upon request. The Clerk shall have authority to enter judgments by default, and by consent of the parties to hear and decide controversies and cases in the small claims division; but any party may request that his case be tried before the Judge of the Court of Common Pleas.

5. COMPENSATION.

The county governing shall have authority to compensate the Judge and Clerk for the additional duties imposed upon them, respectively by this Act.

Section 6. SEVERABILITY.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. EFFECTIVE DATE.

This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
LEE COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the OPELIKA-AUBURN DAILY NEWS, a newspaper of general circulation, published in Lee County, State of Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 6, all in the year 1973.

MILLARD B. GRIMES,
Publisher.

Sworn to and subscribed before me on this the 7th day of August, 1973.

C. C. TORBERT, JR.,
Notary Public, State of Alabama, At Large.

My Commission Expires August 10, 1974.

By Mr. Dominick:

S. 802. Relating to cities having a population of 300,000 or more according to the last or any subsequent federal decennial census; to exempt multi-deck parking facilities which derive two-thirds or more of gross income from transient in and out parking from county and municipal taxes, licenses and excises; to repeal conflicting laws.

Committee on Local Legislation No. 2.

By Mr. Shelby:

S. 803. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

SYNOPSIS:

This bill proposes a constitutional amendment relative to the authorization for the levy and collection of a special property tax and for

the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas and other recreational purposes.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the constitution is proposed and shall become valid as a part thereof when approved by the qualified electors and proclaimed by the Governor as prescribed by law:

PROPOSED AMENDMENT

"The county commission or like governing body of Tuscaloosa County shall have the power to levy and collect a special property tax, in addition to all other taxes, now or hereafter authorized by the Constitution and laws of Alabama, of not exceeding 10 mills on each dollar's worth of taxable property in the county as assessed for state taxation during the preceding year, the proceeds of which shall be used exclusively for developing parks and multi-recreation areas and facilities and for other recreational purposes; provided that such tax and the purpose or purposes thereof, and the time such tax is proposed to be continued shall have been first submitted to the vote of the qualified electors of the county and voted for by a majority of those voting at such election. Such governing body may also become indebted, and in evidence of such indebtedness issue and sell interest bearing bonds in an amount not to exceed \$20,000,000.00 in principal amount, provided that before the issuance of such bonds the question of whether such bonds shall be issued shall have first been submitted to and approved by the qualified electors of Tuscaloosa County at an election. Both the question of levying the tax and the issuing and selling of bonds may be submitted at the same election; or either question may be submitted at a separate election. Either the tax may be levied but no bonds issued, or bonds may be issued and no tax levied hereunder, if other funds are available for the payment of the bonds. The proceeds from taxes levied under authority of this amendment and of all bonds issued hereunder shall be used for developing parks and multi-recreation areas and facilities and for other recreational purposes and all or any part thereof may be appropriated to any county park and recreation authority duly organized and existing pursuant to law in such county and by such authority used for the above-named purposes. The elections provided for herein shall be called, held, conducted and canvassed, and may be contested, in the manner provided by law for the calling, holding, conducting, canvassing and contesting of county bond elections, and if the levy of the tax or the issuance of said bonds shall be authorized at any such elections, the tax may be levied and bonds may be sold and issued from time to time in the manner provided by law for the authorization and sale of county bonds. In the event the voters of Tuscaloosa County do not authorize the levy of the tax or the issuance and sale of said bonds at any election called hereunder then other elections may be called by the governing body of Tuscaloosa County from time to time until the voters of Tuscaloosa County do authorize the levy of the tax or the issuance and sale of said bonds; provided that

no two elections shall be held within one year of each other. The indebtedness herein authorized shall be in addition to all other indebtedness authorized prior to the adoption of this amendment."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

By Mr. Shelby:

S. 804. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission or like governing body of Tuscaloosa County shall order an election to be held in such county within one year from the effective date of this Act for the purpose of determining whether or not a special tax shall be levied in such county for the development of parks and multi-recreation areas and facilities in such county and also for the purpose of determining whether or not money shall be borrowed, bonds shall be issued and the proceeds of the tax shall be pledged to the payment thereof for such purposes.

Section 2. Notice of the election shall be published in some newspaper within the county, which publication shall show the rate of the proposed tax, the time it is proposed to be continued and the purpose or purposes for which the levy is proposed to be made. The notice shall also state the principal amount of the bonds it is proposed to issue.

Section 3. The inspectors and officers of the election shall be appointed and the election shall be held and the result of the election shall be declared in the same manner and by the same officers as is the result of the regular election for county officers under the general laws of the state.

Section 4. All persons who are at the time of the election qualified electors in Tuscaloosa County shall be qualified electors to participate in the election.

Section 5. The county commission or like governing body of Tuscaloosa County shall provide a sufficient number of ballots or voting machines for each voting precinct within said county. Each ballot shall show the rate of the proposed tax, the time it is to be continued, and an itemization of the purpose or purposes for which the tax is levied, and shall provide for a vote "for the proposed taxation," and a place for a vote "against proposed taxation." The ballot shall also contain the question. "Do you favor the issuance of bonds for the above-mentioned purposes in the principal amount of _____dollars?" It shall also contain a place for a vote for and a vote against such bond issue.

Section 6. The officers, including the sheriff, shall perform the same duties, and receive the same pay as provided for under the general election laws aforesaid, and all costs and fees of said election shall be paid out of the county treasury of Tuscaloosa County.

Section 7. If a majority of the qualified electors voting at such election vote for the proposed taxation and for the proposed bond issue, the county commission or like governing body of Tuscaloosa County shall levy said special tax and cause the tax assessor to assess the same on the taxable property in Tuscaloosa County, and shall provide for the issuance and sale of such bonds in the manner prescribed by law for the issuance and sale of other county bonds.

Section 8. The tax collector of Tuscaloosa County shall collect such special tax in the same manner and under the same requirements and laws as taxes of the state are collected, and shall keep said amount separate and apart from all other funds and keep a clear and distinct account thereof. The county governing body may turn the proceeds of such tax over to any park and recreation authority heretofore established and existing pursuant to general law in Tuscaloosa County to be used for the purposes for which the tax was levied.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 11. The provisions of this Act shall become effective upon the ratification of an amendment to the Constitution of Alabama of 1901, proposed by an Act of the 1973 Regular Session, authorizing a special ad valorem tax and the issuance of bonds for park and recreational purposes in Tuscaloosa County.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and August 3, all in the year 1973.

KARL E. ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

By Mr. Carr:

S. 805. To provide for two deputy district attorneys for the 27th judicial circuit and their compensation and appointment.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Littleton:

S. 806. To provide for the establishment of the Alabama Tourism and Recreation Board to promote regional tourism projects within the State and to assist in the organization and funding of regional tourism agencies, established on a multi-county basis.

Committee on Finance and Taxation.

By Mr. Littleton:

S. 807. To amend Section 1 of Act No. 37, H. 66 Organizational, Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended

which applies in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 37, H. 66 Organizational Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended which applies to Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 37, H. 66, Organizational Special and Regular Sessions 1971 (Acts 1971, p. 4170), as amended, be and the same is hereby deleted and there is substituted in lieu thereof, the following:

Section 1 (a). In lieu of any and all chief deputy sheriff, deputies sheriff, jailers or matrons heretofore authorized by law, the sheriff is hereby authorized to appoint not less than the following number of employees whose compensation shall be paid from the county treasury each month in the amounts listed below.

Number of Employees Authorized	Rank	Compensation
1	Chief Deputy	Shall be comparable to a Captain in Alabama State Highway Patrol.
1	Lieutenant	Shall be comparable to a Lieutenant in Alabama Highway Patrol.
8	Deputies	Shall be comparable to State Trooper in Alabama State Highway Patrol.
3	Matrons	Shall be comparable to a Clerk Stenographer III in the Ala. Dept. of Public Safety.
3	Jailers	Shall be comparable to State Troopers in Ala. State Hwy Patrol.

- | | | |
|---|-----------|---|
| 1 | Chief | Shall be comparable to and not less than Ala. Hwy Patrol Investigator Sgt, and not more than Ala. State Hwy Patrol Investigator Capt. between said limitations, the sheriff shall fix said employee's salary. |
| 1 | Sergeant | Shall be comparable to a Sergeant in State Trooper in Alabama State Highway Patrol. |
| 4 | Patrolmen | Shall be comparable to State Troopers in Alabama State Highway Patrol. |

Said one Chief Investigator's and one Sergeant's and 4 Patrolmen's salaries and other remuneration or benefits to said officers may be funded under the Law Enforcement Assistance Act so long as such funds are available, and when not available, said officers shall be paid out of the General Fund of Shelby County or out of any other fund from which the Shelby County Commission elects to pay said officers.

(b) The Chief Deputy, Lieutenant, Chief Investigator, and Sergeant shall begin employment under the provisions of this act in a grade not greater than grade 4 corresponding to the rank listed opposite said position.

All other personnel listed shall begin employment under the provision of this Act in the grade corresponding with the number of years experience in law enforcement.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval, by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marcia Sears, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and Aug. 2, all in the year 1973.

MARCIA M. SEARS.

Sworn to and subscribed before me Aug. 3, 1973.

CONRAD M. FOWLER,
Probate Judge.

By Mr. Dominick:

S. 808. To require all drivers and passengers of any passenger automobile vehicle to wear seat belts while traveling in such vehicles

upon any public road, street or highway of the state, and providing penalty for violation therefore.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Baker:

S. 809. To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," so as to correct certain discrepancies in the description of the boundary lines.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, Dekalb County Alabama so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," so as to correct certain discrepancies in the description of the boundary lines.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act. No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, Dekalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," is amended to read:

"Section 1. That boundary lines of the Town of Fyffe, Dekalb County, Alabama, be, and the same are hereby altered or re-arranged so as to include within the corporate limits of said town all territory lying within the following described lands, lying in Dekalb County, Alabama, to-wit:

South half and Northwest fourth and Northwest fourth of Northeast fourth of Section 10; and

Southeast fourth of Southwest fourth and Northwest fourth and Northwest fourth of Northeast fourth of Section 3; and

Northeast fourth of Northeast fourth of Section 15; and

West half of Northwest fourth and Southeast fourth of Northwest fourth and North half of Southeast fourth of Section 14; and

All of Section 4; and

East half of Southeast fourth and Northwest fourth of Northwest fourth of Section 5; and

East half of Northeast fourth and Southwest fourth of Northeast fourth and Southeast fourth of Northwest fourth and East half of Southeast fourth and Southwest fourth of Southeast fourth of Section 8; and

West half of Northeast fourth and Southeast fourth of Northwest fourth and North half of Southwest fourth of Section 17; and

Southeast fourth of Southeast fourth of Section 18; and

All in Township 7, South of Range 7 East;

Also, East half of Southeast fourth of Section 33; and

Northeast fourth of Southwest fourth and Northwest fourth of Southeast fourth and South half of Southwest fourth and South half of Southeast fourth of Section 32; and

All in Township 6, South of Range 7 East."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared DR. MARVIN L. BARRON, DMD who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Sand Mountain News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 12, JULY 19, JULY 26, and AUG. 2, all in the year 1972.

MARVIN L. BARRON, DMD,
Publisher.

SWORN TO AND SUBSCRIBED before me this 2nd day of August, 1973.

JOHN M. BAKER,
Notary Public.

My commission expires: 7/28/75

By Mr. Shelby:

S. 810. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators of the Public Defender Office and setting the maximum annual compensation therefor.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 811. To authorize the Alabama Public School and College Authority to sell and issue \$7,500,000 aggregate principal amount of additional bonds to provide for the acquisition, construction, reconstruction, improvement, alteration and equipment of buildings and other facilities

at The University of Alabama located in Tuscaloosa, Alabama, for public legal educational and allied purposes, including law research and revision, law enforcement training, public service, continuing legal education, and clinical law training and for facilities for the Communications sciences; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at the respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Shelby:

S. 812. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Be It Enacted by the Legislature of Alabama:

Section 1. The number of appointed members of the Tuscaloosa City Board of Education is hereby increased from five to seven. The additional two members here provided shall have the same tenure,

appointment, duties, and shall be subject to all provisions for members of municipals boards of education as is provided in Title 52, Sections 151 and 152, Code of Alabama 1949, as amended.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

By Mr. Baker:

S. 813. To allow teachers to receive credit toward retirement for military service under certain conditions.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Grainger:

H. J. R. 173. REQUESTING STATE PERSONNEL BOARD TO SURVEY ENVIRONMENTAL AND INDUSTRIAL PROFESSIONAL AND TECHNICAL PERSONNEL CLASSIFICATIONS IN SOUTH-EASTERN REGION.

Whereas two of the highest priorities of the State of Alabama is enhancement and protection of this State's environment and orderly, responsible industrial development;

Whereas in order to carry out the Legislative mandates expressed in the 1971 Alabama Water Pollution Control Act, the 1971 Alabama Air Pollution Control Act, and the 1969 Alabama Development Office Act

persons of highest qualification and competence in Air and Water Pollution Control and Industrial Development must be recruited and retained;

Whereas intense competition among private and governmental agencies for persons skilled in the enhancement and protection of the environment and responsible industrial development makes impossible the recruitment of qualified new personnel and difficult the retention of competent personnel under present conditions, and

Whereas the proliferation of environmental control programs and industrial development programs across the nation has created and will create intense competition among those programs for the limited supply of top quality environmental technical employees and industrial development professionals that the pay rates currently applicable to such employees in Alabama fall far below the national average and below the Southeast average for such pay rates;

Therefore, Be It Resolved by the House of Representatives, the Senate concurring, that the State Personnel Board is hereby directed to perform surveys of the other states within the Southeastern region to determine prevailing rates of pay for comparable environmental professional and technical personnel classifications and industrial development professional classifications. These professional and technical classifications shall be designated by the Alabama Air Pollution Control Commission, the Alabama Water Improvement Commission, the State Board of Health and the Alabama Development Office within thirty (30) days of the effective date of this resolution. Within sixty (60) days of the effective date of this resolution, the State Personnel Board shall set and maintain rates of pay for environmental professional and technical staff employees of the Alabama Water Improvement Commission, the Alabama Air Pollution Control Commission, the Environmental Health Administration of the State Department of Public Health, and industrial development professionals of the Alabama Development Office no less than the median of the prevailing rates for such employees of the Southeastern region. The State Personnel Board is also directed to biannually update rates of pay for environmental professional and technical classifications and industrial development professional classifications in the manner delineated above.

Be it further resolved that a copy of this resolution be submitted to the State Personnel Board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 173, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. McCluskey and Smith (P):

H. J. R. 167. COMMENDING MRS. JUANITA LEDBETTER UPON BEING NAMED PRESIDENT OF THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 167, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Taylor, Barron, Jones (F), Hobbie, Harris and Edwards:

H. J. R. 168. MOURNING THE DEATH OF MR. WILLIAM A. OLDACRE.

Also:

By Messrs. Taylor, Barron, Jones (F), Hobbie and Harris:

H. J. R. 169. COMMENDING MR. BART STARR.

Also:

By Messrs. Taylor, Barron, Jones (F), Hobbie and Harris:

H. J. R. 170. COMMENDING JOHN T. "TOMMY" KIRK.

Also:

By Messrs. Bank, Parker, Robertson and Culver:

H. J. R. 171. COMMENDING LEWIS E. McCRAY FOR HIS AMERICAN LEGION AND OTHER CIVIC ACTIVITIES, AND WISHING HIM THE BEST OF LUCK TOWARD HIS ELECTION AS NATIONAL COMMANDER OF THE AMERICAN LEGION.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 168, 169, 170 and 171, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Coshatt:

H. 960. Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a

special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of license fees; taxes, commissions, and other monies received under the provisions of the act; to provide for the refinancing or retirement of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
ST. CLAIR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County, to provide for and create the St. Clair County, Racing Commission for the regulation, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission;

To authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and the construction of race tracks; to prescribe certain qualifications for applicants for licenses;

To provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission;

To provide for the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provision of the act; to provide for refinancing of the bonds of indebtedness on the St. Clair County hospital;

To provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto;

To further define the intent of the act, and to provide for the referendum of the voters of the county on the question of whether the act will become effective in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The St. Clair County Racing Commission is hereby created and established, and is vested with the powers and duties specified in this Act, and all other powers necessary and proper to enable it to execute fully and effectually the purposes of this Act.

The Commission shall consist of three (3) members; one (1) to be appointed by the St. Clair County Commission; one (1) to be appointed by the St. Clair County Board of Education, and one (1) to be appointed by the St. Clair County Legislative delegation.

The original members shall serve terms as follows; one (1) for a term of two (2) years; one (1) for a term of four (4) years; and one (1) for a term of six (6) years. The members shall draw by lot at the first meeting of the commission to determine their respective terms. Hereafter, each term shall be for a term of six (6) years.

The commissioners shall select from among their members, a chairman, vice-chairman, and a secretary. The secretary shall keep a record of all proceedings of the commission and shall preserve all books, maps, documents, papers, and records entrusted to the commission's care.

The commission shall maintain an office in either courthouse in St. Clair County that they determine to be more convenient or feasible, and may maintain branch offices elsewhere in the county when the proper functioning of the commission's business so requires.

A majority of the commission shall constitute a quorum for all purposes. The chairman shall preside at all meetings of the commission, provided, however, in his absence, the vice-chairman shall preside.

Section 2. Should one of the appointing authorities fail to make its appointment to the commission within thirty (30) days after this Act becomes operative the two remaining appointing authorities shall make the appointment. In the event a vacancy occurs and the respective appointing authority fails to appoint a qualified person to the commission within thirty (30) days, the two remaining appointing authorities shall make the appointment to fill the vacancy.

A commission member may be removed at the request of the respective appointing authority for just cause, provided that such request is made in writing setting forth the reasons for removal and a copy of the request is sent to and concurred in by the other two appointing authorities.

Section 3. The members of the commission shall be qualified electors not less than twenty-five years of age, who shall have resided in St. Clair County for the period of five years next preceding their appointment, and each Commissioner shall take the same constitutional oath of office as other county officers, and shall give bond payable to St. Clair County in the amount of five thousand dollars (\$5,000), conditioned that he will faithfully and properly perform the duties of his office.

The premiums on such bonds shall be paid by the commission. The commission may employ such assistants and employees as may be necessary, and fix their compensation in such amounts as the county governing body may approve. Such employees shall be subject to the provisions of the Act providing for the St. Clair County Personnel Appeals Board.

A member of the commission must not be an official, member of any board of directors, or persons financially interested in any race track or race meeting licensed by the commission, nor shall he race greyhounds in any race meeting licensed by the commission.

Section 4. The compensation of each member of the commission shall be one hundred dollars (\$100.00) per month. One member of said commission shall be required to be in attendance at each racing event, and said designated member shall receive an additional thirty dollars (\$30.00) per diem while engaged in the performance of his duties.

The above sums shall be paid out of the funds in the county treasury deposited to the credit of the County Racing Commission, and shall be paid to the commissioners in the same manner as the compensation of other county officers is paid.

Section 5. The racing commission herein created is authorized and empowered to issue revenue bonds for the purpose of land acquisition and for the construction of a race track or tracks in St. Clair County.

Proceeds from lease payments on the track or tracks shall be used to retire said revenue bonds. The racing commission herein created shall not be abolished so long as there are outstanding bonds of indebtedness that were issued and secured by the lease payments or by revenue to be derived from the provisions of this Act.

Section 6. The County Treasurer of the County shall be ex-officio treasurer of the Racing Commission, and shall collect all the license fees, taxes, and monies provided in this Act, and shall supervise, check and audit the operation of the pari-mutuel wagering pools and the conduct and distribution thereof. The county treasurer may be compensated for these additional duties in an amount set by the county governing body, and such compensation shall be paid out of the monies deposited to the credit of the Racing Commission prior to distribution of monies as later provided for in this Act.

Any expense incurred by the treasurer relating to duties performed as ex-officio treasurer may also be paid out of the monies deposited to the credit of the racing commission prior to distribution of monies as later provided for in this Act. Bond for the ex-officio treasurer may be adjusted and set for these additional duties by county governing body.

Section 7. An applicant for a license to erect or operate a racetrack in St. Clair County under the provisions of this Act shall be a corporation, incorporated in St. Clair County.

Said corporation must disclose at the time of filing of its application the amount of stock issued and the names of all stockholders and the amount of stock owned by each. A minimum of sixty per cent of said stock must be owned by residents of St. Clair County who must have resided in St. Clair County for a period of five years.

The records of said corporation shall be open to the racing commission and if any time less than sixty percent of the stock is owned by county residents as specified above, said corporation shall forfeit its license to operate under the provisions of this Act.

The provisions of this section may be waived, should they prove impractical, upon the request of the racing commission with the concurrence of a majority of their appointing authorities. For purposes of this Act the appointing authorities shall be defined as follows:

(1) St. Clair County Commission, (2) County Board of Education, and (3) County Legislative Delegation. For the purpose of waiving the provisions of this section each of the above mentioned authorities shall be entitled to one vote making a total of three votes.

Section 8. It shall be the duty of the County Racing Commission to carry out the provisions of this Act; and it shall have the following specific duties;

(1) To fix and set the dates upon which race meeting may be held or operated.

(2) To make an annual report to the county commission of its operation, showing its own actions and rulings, the receipts derived under the provision of this Act, and such suggestions as it may deem proper for the more effective accomplishment of the purpose of this Act.

(3) To require each applicant, who must meet the requirements of Section 7, to set forth on its application for a license to operate a race meeting the following information;

(a) The names of the stockholders and directors of the corporation.

(b) The exact location where it is desired to conduct or hold a race meeting and preliminary plans showing the site topography, the type of construction, the track design and concession plans, together with a statement of the assets and liabilities of the corporation making such application. An application may be approved subject to approval of detailed construction plans and specifications when prepared.

(c) Whether the racing plant is owned or leased, and if leased, the provisions of Section 7 of this Act shall apply to said corporation offering the racing plant for lease, provided, however, that nothing in this Act shall prevent a corporation from applying to the commission for a permit to conduct races where the racing plant has not been constructed.

(d) The kind of racing to be conducted and the dates requested.

(e) Such other information as the commission may require.

(4) To require an oath of every applicant by its president stating that the information contained in the application is true.

(5) To make uniform rules and regulations governing the holding, conduction, and operating of all race tracks, race meetings, and races held in St. Clair County.

Section 9. All books, records, maps, documents, and papers of the commission, including those filed with the commission as well as those prepared by or for it, shall at all times be open for the personal inspection of any officer of the State of Alabama, or of the county, municipality within St. Clair County, or of any official investigative body or committee and no person having charge or custody thereof shall refuse this right to any officer or investigative body or committee, and it shall be the express duty of such person to assist such officer or committee in locating records or information desired by them.

Any member or employee of the commission who violated the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not exceeding three months. If any member of the commission violates the provisions of this section, he shall be subject to removal from office.

Section 10. Any corporation desiring to operate a race track in this county shall have the right, subject to the provisions of this Act, to hold and conduct one or more race meetings at such track each year provided that no such license shall be granted to corporation, or to any track, for a period of not less than one hundred (100) racing days, and not more than one hundred fifty (150) racing days in any one year.

Said dates shall not be required to be consecutive, and a racing day may include a matinee performance. No race or racing shall be permitted on Sundays. No person under the legal voting age shall be employed in

any manner about said race track except as exercise boys and grooms; nor shall persons under eighteen years of age be permitted to attend any race.

Section 11. The Racing Commission may extend said limitations of time for greyhound racing not to exceed two (2) days at any one track beyond the period otherwise provided by law so that any such track may conduct a charity day of racing for any one or more recognized charities in St. Clair County. The total of all profits derived from the operation of such racing on such charity days including all monies which would otherwise be received by the Racing Commission as taxes for such day's operations shall be and become a part of the charity trust fund for which such racing on such days is conducted. The charity trust fund shall be administered as directed by the county governing body.

In determining profits derived from such racing on such charity days, which profits shall include all taxes payable to the county or any agency thereof for such days' operations. Said tracks shall only be entitled to deduct from the profits accruing from all receipts on such charity days of racing their actual operating costs, which costs shall be those expenses incurred by the race track solely by reason of holding said charity days or racing and shall not be deemed to include such expenses constant from day to day and which would have been incurred had the race on that day not been held, including, but not limited to, such items as capital expenditures, interest on debts, real estate taxes and annual license fee, donations, bad debts, and such other items of daily or prorated expense as the racing commission may by rule prescribe.

Section 12

(a) On or before the 1st. day of October of each year, any corporation possessing the qualifications prescribed in this Act shall have the right to apply to the commission for a permit or license to conduct race meetings and racing under the Act. On or before the first day of January of each year, after the receipt of any such application, the commission shall convene to consider and act upon all permits or licenses applied for.

Approved permits or licenses shall be granted for a period of not less than one year from the date of issuance and shall set forth, in addition to any other information prescribed by the commission, the name of the licensee the location of the race track, the duration of the race meeting and the kind of racing desired to be conducted, and shall show the receipt by the commission of a performance bond in the amount of fifty-thousand (\$50,000) to guarantee the operation of said race meeting. No such license is transferable, not shall it apply to any other place, track, or enclosure except the one specified in this license.

(b) The Commission shall not issue any licenses which would permit any two race tracks in the County to operate on the same racing days. Further, after the first license has been issued to the licensee, subsequent applications for renewal shall be accompanied by proof (in such form as the Commission may require) that said licensee still possess the qualifications set out in this Act. Such applications for renewal of license shall not be denied except for due cause.

(c) Eighty (80 pct.) percent of the employees of said track must be bona fide resident citizens of St. Clair County, Alabama.

Section 13. The commission may revoke the license of any licensee conducting a race meeting, upon the violation of any of the provisions of this Act, or any rule or regulation promulgated by the commission or may involk a fine not to exceed one thousand dollars (\$1,000.00) per offense in lieu thereof.

It is unlawful for any licensee under this Act, directly or indirectly, to make any contribution whatsoever to any political party or to any candidate for any State, County, or Municipal office, and upon proof being presented of such contribution having been made, the Commission shall immediately and permanently revoke the license of such licensee. No disciplinary action may be taken hereunder until the licensee has been presented with notice in writing specifying the time and place of a disciplinary hearing, said notice setting out in substance the nature of the accusation, and inviting the licensee to appear, with or without counsel, as the licensee may decide, the licensee being afforded an opportunity to face and examine his accusers, call witnesses, and testify if he so chooses.

Section 14. The commission is empowered to compel the production of any and all books, memoranda, or documents showing the receipts and disbursements of any corporation licensed to conduct race meetings under the provisions of this Act. The commission may, at any time, require the removal of any employee or official employed by any licensee hereunder whenever it has reason to believe that such employee or official is guilty of any improper practice in connection with racing, has failed to comply with any condition of the license, or has violated any rule adopted by the commission.

The commission shall have the power to require that the books and financial or other statements of any licensee be kept in a manner and method provided by the commission; and the commission shall be authorized to visit, investigate, and place auditors and inspectors in the offices, tracks, or place of business of any corporation licensed under this Act.

The commission shall have the power to summon witnesses before its meetings; to administer oaths to such witnesses, and to require testimony on any issue before it. Any person failing to appear before said commission, or failing to produce books, records, and documents ordered, or refusing to testify thereon, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed six (6) months, or by both fine and imprisonment in the discretion of the court.

Section 15. The commission shall have the power to grant, refuse, suspend, or withdraw licenses to all persons connected with race tracks, including gatekeepers, announcers, ushers, starters, officials, drivers, greyhound owners, agents, trainers, grooms, stable foremen, exercise boys, veterinarians, valets, sellers of racing forms or bulletins, and attendants in connection with the wagering machines, pursuant to such rules and regulations as the commission may adopt and upon the payment of a license fee as fixed and determined by the commission in accordance with the position and compensation of such person. Any license may be revoked by the commission, for good cause shown, and any person whose license is revoked shall be ineligible to participate in such occupation connected with racing unless the license is returned by the commission with permission to operate thereunder.

The commission may deny or revoke a license to any person who has been refused or denied a license by any other state racing commission or racing authority.

Section 16. The commission shall make rules governing, permitting, and regulating the wagering on greyhound races under the form of mutuel wagering by patrons known as "Pari-Mutuel Wagering," which method shall be legal to the extent that, and so long as, the same is carried on and conducted strictly in conformity with this Act, and not otherwise.

Only the persons or corporation receiving a license from the commission shall have the right or privilege to conduct this type of wagering and the licenses shall restrict and confine this form of wagering to a space with in the race meeting grounds. All other forms of wagering on the results of greyhound races shall continue to be illegal, and any or all wagering outside of the enclosure of such races, where such races shall have been licensed by the commission, shall be illegal.

No person or corporation shall directly or indirectly purchase pari-mutuel tickets or participate in the purchase of any part of a pari-mutuel pool for another for hire or for any gratuity and no person shall purchase any part of a pari-mutuel pool through another, wherein he gives or pays directly or indirectly such other person anything of value.

Any person violating this section shall be deemed guilty of a misdemeanor, and, upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five-hundred dollars (\$500.00), or by imprisonment not to exceed six months, or both fine and imprisonment in the discretion of the court.

Section 17. Every licensee conducting race meetings under the provisions of this Act, shall pay to the Ex-officio Treasurer of the Racing Commission for the use of the Commission, a tax in an amount equal to six (6) percent of the total contributions to all pari-mutuel pools conducted or made on any race track licensed under this Act. The Commission of a licensee on a pari-mutuel pool shall in no event exceed seventeen (17) percent of the amount contributed to said pari-mutuel pool, which amount shall include the six (6) percent tax heretofore provided.

After the deduction of seventeen percent (17 pct.) for the use of the commission and the percentage commission of the licensee, the remainder of the total contributions to each pool shall be divided among and redistributed to the contributors to such pools betting on the winning greyhound.

The amount of each redistribution for each winning bet placed shall be determined by dividing the total amount remaining in the pool after the deductions hereinabove provided for by the number of bets placed on the winning greyhound.

Each redistribution shall be made in a sum equal to the next lowest multiple to ten. The odd cents of all redistributions to be known as the "breaks to a dime," and all monies represented by any unclaimed uncashed, or abandoned pari-mutuel tickets known as "outs" money shall be paid to the Ex-officio Treasurer of the Racing Commission, and shall be allocated in the same manner as other receipts paid to the Ex-Officio Treasurer, and as hereinafter provided for in this Act.

Under the pari-mutuel system of wagering herein provided, the licensee shall be permitted to provide separate pools for bets to win, place, and show, also a daily double pool, quiniela pool, perfecta pool, big quiniela pool (Big Q), big perfecta pool (Big P), twin double pool, tierce pool, perfecta tierce pool, and big tierce pool (Big T). Each pool, shall be redistributed separately as herein provided.

Should there be no ticket bet on the winning greyhound, the entire pool will be divided among the holders of tickets on the greyhound running next in line until the pool has been redistributed to the contributors.

The licensee shall be required to use a totalizator machine to record the wagering and compute the odds. Rules and regulations gov-

erning the operation of each of the pools shall be set out in book form by the St. Clair County Racing Commission.

The licensee shall collect from each person attending the race meetings under the provisions of this Act fifteen percent (15 pct.) of the established admission price or ten cents, whichever sum is the greater, as an admission tax.

Licensees shall make payment of such taxes to the ex-officio treasurer of the Racing Commission every seventh calendar day of any and every race meeting, which payment shall be accompanied by a report on the races covered by such report and such other information as the commission may require.

This tax shall be allocated in the same manner as the other taxes received under this Act, and as hereinafter provided for in this Act.

Section 18. If any free passes or complimentary cards shall be issued to guests by any licensee, such licensee shall nevertheless be responsible for payment of the admission tax upon such complimentary admission cards or passes as though they had been sold at the regular admission price.

However, nothing herein contained shall be construed to prohibit the issuance of tax-free passes to officials and actual employees of the licensee, or other persons actually engaged in working at such track, including persons actually employed and accredited by the press or other news service; provided, that the issuance of all such tax-free passes shall be governed by the regulations and orders of the commission and a list of all such officers, employees, and news service representatives shall be filed with the commission.

Section 19. In addition to the above mentioned taxes, there is hereby levied an additional special gross receipt tax of two percent (2 pct.) on all items offered for sale within the confine and upon the premises of race tracks licensed under this Act, including programs.

This tax shall be paid to the Ex-Officio Treasurer of the Racing Commission and shall be allocated in the same manner as other tax receipts hereinafter provided for in this Act. This tax is due and payable by the 20th. of month following the applicable tax month.

Section 20. The license fees, commissions, and other taxes imposed herein shall be in lieu of all license fees, commissions, and other taxes to the State of Alabama, of any county, city, town, or other political subdivision thereof.

Provided, however, this does not exclude the payment of sales tax on applicable items to the State of Alabama, nor does it exclude tax on alcoholic beverages due the State of Alabama, and the county of St. Clair, nor does it exclude payment of any other taxes that is applicable and due the State and County on property both real and personal.

Section 21. In addition to other rules and regulations that may be promulgated by the racing commission the following shall be complied with by the licensee or operator of the race plant and employees thereof.

(a) A duly licensed Veterinarian shall be on the grounds at weighing time and make examination of the physical conditions of each greyhound, and any dog not considered in good physical condition, shall be reported to the presiding official.

(b) An adequate security force shall be employed as prescribed by the racing commission. Members of security force shall have the

same powers as other law enforcement officers of the county while performing their duties on the premises of the race track.

(c) An adequately equipped first aid room shall be provided within the enclosure of the track with a registered nurse on duty during racing hours.

(d) Public liability insurance shall be carried by the licensee or operator in an amount and with a company approved by the racing commission.

(e) All racing events shall be concluded by midnight.

(f) A pari-mutuel ticket shall not be sold to an individual who is visibly inebriated.

(g) All employees at the race track shall be licensed by the racing commission and shall submit a signed affidavit at time of employment that they meet the requirements of this Act and of the Racing Commission herein created.

Each employee shall be required to wear an identifying badge with his or her photograph and name thereon at all times while within or on the premises of the racing plant.

Employees are prohibited from wagering and violators shall have their employment terminated.

Section 22. All fees, commissions, taxes, and other monies, including fines, and forfeitures, received under the provisions of this Act shall be paid to the treasurer of St. Clair County, and deposited by said treasurer in the county treasury to the account of the St. Clair County Racing Commission. All such monies remaining after payment of the expenses incurred in the administration of this Act, including the payment of the salaries and expenses of the members and employees of this commission shall be distributed on an annual basis as follows:

(a) Fifteen percent (15 pct.) or \$200,000 whichever is greater to the St. Clair County Hospital Board. It is the intent of this appropriation to eliminate the need for the levying and collection of the four mill property tax that is presently authorized and is being levied and collected for this purpose.

Accordingly, the hospital board and or the county governing body is hereby authorized and empowered to refinance the outstanding bonds of indebtedness on the St. Clair County Hospital, and the revenue derived from the provisions of this Act and which is appropriated to the St. Clair County Hospital in this section may be used for this purpose.

Provided, however, this appropriation shall not be paid so long as the property tax is being levied and collected.

It is further the intent of this appropriation to provide for resident medical staff, improved emergency care for citizens of the County; to provide for the necessary future expansion of said hospital or construction of other related facilities and the operation and maintenance of all such facilities.

(b) Thirty-five (35 pct.) of the monies remaining after the amount due to the hospital board is paid shall be appropriated to the St. Clair County Board of Education for the construction, maintenance and operation of educational facilities in St. Clair County and the upgrading of instruction therein.

(c) Thirty percent (30 pct.) of the monies remaining after the amount due the hospital board is paid shall be appropriated to the

municipalities of St. Clair County on a per capita basis according to the most recent population figure used by the federal government for the purpose of revenue sharing, or if these figures are not available, the population figures according to the last federal census shall be used.

(d) Thirty-Five percent (35 pct.) of the monies remaining after the amount due the hospital board is paid shall be appropriated to the general fund of St. Clair County to be allocated and spent in the following prescribed manner:

(1) Fifty percent (50 pct.) of this amount shall remain unearmarked and may be spent in any manner, provided by law, for the benefit of the citizens of St. Clair County, by the county governing body thereof.

(2) Ten percent (10 pct.) shall be used to develop and maintain water and sewer systems in the County.

(3) Six percent (6 pct.) to be appropriated to the St. Clair County Health Department for its use in meeting the health needs of the citizens of St. Clair County.

(4) Six percent (6 pct.) to be used for the general upgrading of the juvenile system of St. Clair County, for the detention and rehabilitation of juvenile offenders, and for the prevention and rehabilitation of drug users.

(5) Six percent (6 pct.) to be appropriated to the Park and Recreation Board of St. Clair County for the acquisition of land, construction, equipping, maintenance, and operation of recreational facilities in the County.

(6) Six percent (6 pct.) to be used by the county governing body to upgrade law enforcement in the County.

(7) Six percent (6 pct.) to be appropriated to the St. Clair County Library Board for the upgrading of the library system, and for the establishment and operation of an adequate county law library. The establishment of the law library shall be done with the advice and counsel of the St. Clair County Bar Association.

(8) Five percent (5 pct.) to be appropriated to the St. Clair County Industrial Development committee for their use in promoting economic development of the County.

(9) Two and one-half percent (2½ pct.) to be appropriated to the St. Clair County Historical Society for their use in restoring and preserving historic sites and buildings in the County and for the employment of an archivist for the County.

(10) Two and one-half percent (2½ pct.) to be placed in a scholarship trust fund and administered by a scholarship committee to be composed of three members, appointed by the County governing body, the county board of education, and the legislative delegation of the County.

Each to appoint one member and said member to serve at the pleasure of the appointing authority. The scholarship committee herein formed may make reasonable rules and regulations to facilitate the proper administration of this fund, provided, however, that priority of awarding of scholarships under the provisions of this section shall be given, but not limited, to applicants for health careers and shall be conditioned on their desire and intent to pursue said careers in St. Clair County.

Section 23. Any corporation, association, or person who directly or indirectly holds any greyhound race without having procured a license as prescribed in this Act, shall be guilty of a misdemeanor.

Any person wagering upon the results of such a race, except in the pari-mutuel or mutuel method of wagering when the same is conducted by a licensee and upon the grounds or enclosure of said licensee, shall be guilty of a misdemeanor.

Any corporation, organization, association, or person, who violates any provision to this Act, for which a penalty is not expressly provided shall be guilty of a misdemeanor.

Upon conviction of any of the above misdemeanors in a court of competent jurisdiction, the penalty shall be a fine of not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00), or by imprisonment of not less than five days nor more than six months, or both, such fine and imprisonment to be in the discretion of the court.

Section 24. No person who engages in the practice of professional gambling on greyhound races, or in the practice of making gambling or wagering books on such races, or who knowingly takes any part in such practices, shall be eligible as an applicant for any license or permit to operate a race track or a race meeting under the provisions of this Act, or to be connected therewith in any capacity and any association or corporation which as an officer, director, stockholder, executive, or employs any person who engages in such practices shall likewise be ineligible as a licensee, and the commission is hereby empowered to inquire into such matters in entertaining any such applications and otherwise in administering this Act.

Section 25. Any person who shall influence or have any understanding or connivance with any owner, groom, or other person associated with or interested in any kennel, greyhound, or race in which any greyhound participates, to prearrange or predetermine the results of any such race, or any person who shall stimulate or depress a greyhound for the purpose of affecting the results of a race, shall be guilty of a felony and upon conviction thereof, shall be imprisoned in the state prison for not less than one year not more than ten years, or shall be fined not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) or both, in the discretion of the court.

Section 26. It shall be unlawful for any person to transmit or communicate to another by any means whatsoever the results, changing odds, track conditions, or any other information relating to any greyhound race from any race track in this county, between the period of time beginning one hour prior to the first race of the day and ending thirty minutes after the posting of the official results of each race, as to that particular race, except that this period may be reduced to permit the transmitting of the results of the last race each day not sooner than fifteen minutes after the official posting of such results. Provided, however, that the commission may, by rule, permit the immediate transmission by radio, television, or press wire of any pertinent information concerning feature races.

It shall be unlawful for any person to transmit by any means whatsoever racing information to any other person or to relay the same to any other person by word of mouth, by signal, or by use of telephone, telegraph, radio, or any other means, when the information is knowingly used or intended to be used for illegal gambling purposes, or in furtherance of such gambling purposes.

Any person violating the provisions of this section shall be guilty of a felony, and, upon conviction, shall be imprisoned in the state penitentiary for not less than one year nor more than ten years, or shall be fined not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) or both, in the discretion of the court.

Section 27. It is the intent of this Act to improve the economic well being of the citizens of St. Clair County, by providing an increased tax base, jobs for the citizens herein, and promotion of tourism and recreation in St. Clair County. It is further the intent of this Act to provide for strict local control of the racing plant or plants and the operation of said plants by St. Clair County citizens so as to minimize the possibility of undesirable gambling elements from ever controlling this industry.

Section 28. The county governing body of St. Clair County shall call and provide for holding a referendum for the purpose of the determining if this Act shall become operative. The referendum shall be held not less than thirty (30) days, nor more than forty (40) days after the effective date of this Act, and shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county bond elections. The question to be voted on shall be stated on the ballots or voting machine tabs substantially as follows:

"Do you favor the creation of the St. Clair County Racing Commission to regulate licensing and supervision of greyhound racing and wagering thereon as provided in Act No. _____ approved _____, 1973?"

If the majority of the votes cast in the referendum as "Yes," greyhound racing shall be legal in St. Clair County and this Act shall become operative therein; if the majority of the votes cast in the election are "No," this Act shall have no further effect. The Probate Judge of St. Clair County shall certify the results of the referendum to the Secretary of State of Alabama within thirty (30) days after the election returns are canvassed.

Section 29. If any provision, paragraph or part of this Act shall be declared invalid, unconstitutional, or void, the balance of said Act shall remain in full force and effect.

Section 30. All laws or parts of laws in conflict with the Act are repealed.

Section 31. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 25, all in the year 1973.

ROBERT D. CORNETT.

Sworn to and subscribed before me June 4, 1973.

ANNE T. MILAM,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 960. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Timmons, Doss, Erdreich, Adwell, Weeks, Ellis, McNair, McMillan, Falkenburg and Waggoner:

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from twenty-two per cent (22%) to fifty per cent (50%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 995. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Waldrop and Wynot:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county commission, board of revenue, or like governing body of such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1665. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Erdreich, Timmons, Falkenburg, Boutwell, Doss, Weeks, McBride, McMillan, Dill, Adwell and McNair:

H. 1048. Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1048. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hughes, Boles, Bowers, Ellis, Erdreich, Gafford, Timmons, McMillan, McBride, Waggoner, McNair and Doss:

H. 1145. To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal Decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of property located within 500 feet from the property which is the subject of the proposed change and by placing a sign upon the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty percent or more of the property

owners receiving such notice, such change shall not be effected without the affirmative vote of a minimum of two-thirds of the members of such governing body.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1145. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Timmons and Adwell:

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population of more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1442. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perloff, Wood, and Therrell:

H. 280. To provide that the Governing Body of any Municipality having a population of not less than 175,000 nor more than 300,000 according to the most recent or any future federal decennial census, may appoint the Chief of Police of such Municipality, in the event of a vacancy, from the number of officers of the police force who hold the rank of major or above with 3 years or more service in this rank.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 280. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Burgess, Gray (F), Fite, St. John, Lyons, Bank, Robertson, Bowers, Culver, Parker, Boutwell, Casey, Wood, Carter, Stokes, Roberts, McDonald, Drake, Collins, Downing, Cauthen, Stewart, O'Daniel, Harris, Taylor, Barkett, Brassell, Wise, Grainger, Adwell, King, Manley, Williams, Hill, Reynolds, Grey (D), Coshatt, Wynot, Erdreich, Weeks, McBride, Waggoner, Reid (R), Goodwin, McCluskey, Smith (P), Adams, Snell, Jackson, Doss, Hardin, May, Nettles, McCorquodale, Mims, Turnham, Hale, Hobbie, Callahan, Waldrop, Headley, Crowe, Owens and Kinsey:

H. 1405. To provide that any person in this state at the arrival at the age of eighteen years shall be relieved of their disabilities of minority.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1405. To the Committee on Youth and Student Activities.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Barron, Jones (F), Harris and Hobbie:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 150,000 nor more than 180,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1622. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lyons:

H. 14. To require the posting of a fee for costs in all civil suits filed in the courts in Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, towit:

A BILL TO BE ENTITLED AN ACT

To require the posting of fee for costs in all civil suits filed in any court in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. No civil suit shall be received for filing by the clerk of any court in the County of Mobile, State of Alabama unless the bill of complaint is accompanied by a filing fee of \$20.00. In the event the court costs are not collected from the defendant in such action, the \$20.00 filing fee shall be applied toward the payment of such costs in the case. Upon the payment of court costs by the defendant in any suit in which a filing fee has been paid, then the plaintiff shall be refunded his filing fee by the clerk of the court.

Section 2. All laws or parts of laws in conflict with the provisions hereof be, and the same are, expressly repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 14. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stubbs, Wynot, Headley, Burgess, Lyons, Drake, Robertson, Grainger, Williams, Bowers, Meeks, Waggoner, Easters, Therrell, Reid (R), Carnes, Grey (D), Goodwin, Waldrop and Downing:

H. 1259. To amend Section 198, Subsections C and F of Section 201, Paragraph 3 of Subsection C of Section 204, Section 207, Subsections B and C of Section 214, Subsections C and D of Section 216, Section 239 and Paragraph (1) of Subsection F of Section 240, Title 26, Chapter 4, Code of Alabama 1940, relating to appointment of an Alternate Treasurer, merging of non-profit organizations, financing unemployment benefits by political subdivisions, extending the time limit and employer may file a claim for credit for rehire, increasing the maximum weekly benefit amount, limiting disqualifications for certain separations and increasing the penalty for other separations, non-charging an employer's experience rating record, crediting the employer's experience rating record when a decision allowing benefits is reversed by an appellate authority, providing a fine for an employer failing to file a contribution report, relieving newly subject construction contractors of the requirement to provide surety and permitting the requirement of surety from delinquent construction contractors

Also:

By Messrs. Stubbs, Wynot, Headley, Burgess, Lyons, Drake, Robertson, Grainger, Williams, Bowers, Waggoner, Easters, Therrell, Reid (R), Carnes, Grey (D), Goodwin, Waldrop and Downing:

H. 1258. To amend Section 8, Title 26, Chapter 1, Code of Alabama 1940, as last amended, relating to the pay for members of the Board of Appeals of the Department of Industrial Relations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1259 and 1258. To the Committee on Business and Labor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 308, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message From the Governor, returning House Bill No. 308, with a suggested Executive Amendment.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 2nd DAY OF AUGUST 1973.

To The House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 308, without my approval and with a suggested Executive Amendment.

It is suggested that the Senate Substitute of House Bill No. 308, and all amendments thereto, be deleted.

It is further suggested that Section 4 of House Bill No. 308 be amended to read as follows:

"Section 4. Board of Directors of Authority. Such authority formed under this subdivision shall constitute a public benefit agency of the state of Alabama and shall have a board of directors of seven members who shall be residents of the state of Alabama. The county commission, or other like governing body of the county, will appoint one member to the authority from each of the five commissioner districts as now constituted. The other two members of the authority shall be appointed by the county commission, or other like governing body, from the county at large. All appointments to the authority shall be by majority vote of the county commission, or other like governing body of the county. All appointments to the authority made prior to the passage of the Act are hereby cancelled, but the county commission, or other like governing body of the county, may appoint or reappoint anyone, including previous appointees, as long as they meet the residency requirements herein set forth. Such board of directors shall constitute the governing body of the authority. The members of said board of directors shall serve without compensation, except they shall be reimbursed for actual expenses incurred in and about the performance of their duties hereunder. No member of the board of directors shall be an officer of the county. The directors so appointed and all subsequent directors shall be elected by a majority of the governing body of the county and they shall be so elected that they shall hold office for staggering terms. For the purpose of so staggering the terms, the directorships shall be numbered one through seven inclusive. The first term of office of each director shall be for a number of years corresponding to the number of the directorship which he holds; and, thereafter, the term of office of each director shall be seven years. Any person appointed to any vacant directorship during any term of such directorship shall be deemed ap-

pointed for the remainder of such term; provided that if any person be appointed to any vacant directorship during the last six months of any term of such directorship, he shall be deemed appointed for the remainder of such term and for the next succeeding term of such directorship. The incumbent of a directorship may be removed from the board of directors by the commission or other governing body of the county for inefficiency, neglect of duty or malfeasance after a fair hearing or opportunity therefor. Every appointment or removal of a director shall be by resolution of the commission or other governing body of the county. A chairman and vice-chairman of said authority shall be elected by the authority from among its members, and a secretary shall be appointed, who may be or may not be a member of said board. In the absence or incapacity of the chairman, the vice-chairman shall serve as chairman and may perform such acts and duties as the chairman is authorized to perform. The power of said authority shall be vested in and exercised by the majority of the members of the authority then in office. The said authority may delegate to one or more of its members or its officers, agents and employees such power and duties as it may deem proper, and shall appoint a treasurer, who may or may not be a member of the authority, to act as custodian of all of the funds, from whatever source derived, received by said authority, and shall deposit said monies in a separate account or accounts in one or more banks or trust companies which are duly qualified and doing business in the state of Alabama; provided, however, the authority may by resolution or by trust indenture securing the issuance of bonds herein authorized designate a fiscal agent or trustee, which shall be a bank or trust company duly qualified to do business in the state of Alabama, and may authorize such fiscal agent or trustee to receive and disburse, upon such terms and conditions (and subject to such exceptions, if any) as may be specified in such resolution or trust indenture, all funds applicable to payment of said bonds. All such banks and trust companies are authorized to give security for monies deposited with it."

The foregoing suggested Executive Amendment, if adopted, will remove my objections to the bill.

Respectfully,

GEORGE C. WALLACE,
GOVERNOR OF ALABAMA.

DONE THIS 2nd DAY OF AUGUST 1973.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 308, by a vote of Yeas 82; Nays 0, which was a majority of the whole number elected to the House.

And said Bill:

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installa-

tions for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; and to provide penalties and residency requirements for officers and employees of authorities, commissions, chambers, and committees.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 84, Nays 0, which was a majority of the whole number elected to the House.

And said bill together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Horne, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 308, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Foshee	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Melton	Vacca
Clark	Harris	Noonan	Wilder
Cook	Horne	Owen	Wilson
Dozier	King		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 308, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Register
Carr	Givhan	Malone	Vacca
Clark	Harris	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 53. COMMENDING THE ALABAMA YMCA YOUTH LEGISLATURE ON ITS 25th ANNIVERSARY.

Also:

S. J. R. 80. URGING THE UNITED STATES INTERIOR DEPARTMENT TO OPEN FEDERAL LANDS OFF THE ALABAMA COAST FOR BIDDING FOR PURPOSES OF EXPLORING FOR OIL AND NATURAL GAS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Stokes:

H. J. R. 139. ESTABLISHING THE EXECUTIVE INTERAGENCY CONSUMER HEALTH EDUCATION COMMITTEE.

WHEREAS, this Legislature is concerned for the health of all the people of Alabama; and

WHEREAS, consumer health education is a vital ingredient for the continued health and well being of the citizenry; and

WHEREAS, findings of the Alabama Health Study Commission and other authoritative groups show that more than communication is a necessity if the consumer is to practice proper health habits; and

WHEREAS, these same authorities view formal education as the proper underpinning for consumer education to educate our youth in proper health habits and make them receptive to consumer health education matters in adult life; and

WHEREAS, various state agencies and organizations must work in concert to establish an effective program for education on consumer health in our public schools; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an Executive Interagency Consumer Health Education Committee be established to plan, coordinate, and evaluate consumer health education activities in public, private and volunteer agencies. The Committee shall be responsible for identifying target groups, determining consumer education most needed by these groups, making recommendations for implementation, evaluating the results of the education implemented, and projecting budgetary support needed to carry out the recommendation. This Committee shall be composed of representatives from: The State Department of Public Health; the State Department of Mental Health; the State Department of Education; the State Department of Pensions and Security; the Alabama Dental Association; the Alabama State Nurses Association; the Cooperative Extension Service; the Alabama Pharmaceutical Association; the Health Committee of the House; and the Health Committee of the Senate.

BE IT FURTHER RESOLVED, That these representatives shall be the principal decision-makers within the organizations represented who are familiar with consumer health education.

BE IT FURTHER RESOLVED, That this group will become operative on the appointment of the membership, and shall meet within sixty days of such event to organize and establish meeting schedules, officers and other business.

BE IT FURTHER RESOLVED, That the Executive Interagency Consumer Health Education Committee shall annually report to the people and the Legislature of Alabama on progress in health education.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 139, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Mathews:

H. J. R. 65. WHEREAS, Alabama Power Company previously applied to the Federal Power Commission for a license for the proposed Crooked Creek Hydroelectric Project (FPC Project No. 2628) to be located on the Tallapoosa River in Randolph and Clay Counties, Alabama; and

WHEREAS, such application was filed with the Federal Power Commission on November 1, 1968, over four years ago; and

WHEREAS, the proposed hydroelectric project would not only supply needed electric power for the State of Alabama and create a beautiful lake for recreation but would also represent a substantial investment of money by Alabama Power Company which would stimulate the economy in Randolph and Clay Counties and other areas of the State in proximity to such counties; and

WHEREAS, the proposed Crooked Creek Reservoir would further provide an excellent source of cooling water for a future large steam-electric generating plant proposed by Alabama Power Company for location adjacent to such reservoir; and

WHEREAS, there has been no intervention or formal opposition to this project before the Federal Power Commission and the failure of the Federal Power Commission to issue a license for this worthwhile project for such a long period of time is unreasonable and costly to the citizens of the State of Alabama;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Federal Power Commission is strongly urged to issue to Alabama Power Company an acceptable license for the proposed Crooked Creek Hydroelectric Project (FPC Project No. 2628) without further delay.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bailes, the Rules were suspended and the Resolution, H. J. R. 65, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Connell:

H. J. R. 11. EXPRESSING STRONG PROTEST AND OPPOSITION TO THE VOTING RIGHTS ACT OF 1965 AND URGING ITS REPEAL.

WHEREAS the United States Congress, under strong protest and opposition offered by the Legislature of Alabama and the members of Alabama's delegation in the United States Congress, enacted the Voting Rights Act of 1965; and

WHEREAS the provisions and administration of this Act have resulted in increasing and unrestricted federal intervention in the voting regulations and procedures of this State of Alabama and other southern states of these United States through federal voting examiners, the United States Attorney General and the United States District Court for the District of Columbia; and

WHEREAS the provisions and administration of this Act have resulted in striking down and nullifying the laws and regulations of this sovereign state and to strip local officials of all power, authority, and duty conferred upon them; and

WHEREAS the federal government and each branch of the federal government was created by the people as a government of limited powers with those powers not delegated retained in the people and in the states, and, that assurance of this reservation should be made doubly sure and to forever prevent the usurpation of powers retained by the people, these reservations of powers were incorporated in the Bill of Rights as Amendments IX and X; and any nullification or impairment of those retained powers, either by congressional act, judicial fiat or by executive department usurpation, is a breach of faith and a violation of the oath subscribed to by every federal official to support that solemn guarantee to the people; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body urgently requests the United States Congress to repeal the Voting Rights Acts of 1965 as last amended and respectfully requests each member of Alabama's delegation in the United States Congress to use every effort and all means available to repeal this Act.

BE IT FURTHER RESOLVED That copies of this resolution be sent to each member of the Alabama delegation in the United States Congress.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 11, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Connell and Crawford:

H. 1671. To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

TO BE ENTITLED
AN ACT

To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to Houston County, Alabama.

Section 2. There is hereby created the office of commissioner of licenses who shall be appointed by the chairman or president of the county governing body, county revenue commissioner and the judge of probate, or a majority of them who shall constitute a board of appointment for such purpose, such officer shall hold office at the pleasure of the appointing board and any vacancy occurring shall be filled by the appointing board or a majority of them. The salary of the commissioner of licenses shall be fixed by the appointing board at \$10,500.00 annually and shall be payable in equal monthly installments from the general funds of the county.

Section 3. The commissioner of licenses shall be a county officer and he shall have an official seal of office and shall maintain his permanent office in the courthouse. Before entering upon the duties of his office, the commissioner of licenses shall take the oath of office prescribed by the constitution and enter into bond in such sum as may be fixed by the county governing body, giving as surety thereon a bonding company authorized to do business in this state. The bond shall be approved by the county governing body and filed with and recorded by the judge of probate of the county. All premiums on such bond shall be paid out of the general fund of the county.

Section 4. Suitable office space and all stationery, equipment, supplies and postage necessary for the conduct of this office shall be furnished by the governing body of the county to the commissioner of licenses except such stationery and supplies as the law now requires to be furnished by the State Department of Revenue or the State Comptroller.

Section 5. The commissioner of licenses herein provided for may appoint a chief clerk who shall, in his absence, have the power and authority herein granted to the commissioner of licenses. The commissioner of licenses may also appoint a sufficient number of other clerks and assistants to properly perform the duties of his office. The compensation of the clerks and assistants shall be fixed by the commissioner of licenses subject to the approval of the county governing body and paid out of the general fund of the county in the same manner as the salaries of other county employees are paid.

Section 6. It shall be the duty of the commissioner of licenses to collect and issue all licenses, except marriage licenses, for exercising any rights or privileges for which a license is required, privilege licenses, store licenses, chain store licenses, milk licenses, boat licenses, hunting licenses, fishing licenses, driver's licenses, licenses for motor vehicles, and any and all other licenses, except marriage licenses, which are now or which may hereafter be required by law to be paid to the State of Alabama or the counties thereof.

Section 7. Before any person, firm, or corporation shall engage in or carry on any business or do any act in any county in which this Act is applicable for which a license is required by law, he, they, or it, except as otherwise provided, shall pay to the commissioner of licenses the amount required for such licenses, and shall comply with all the requirements of this Act. All such licenses as shown in Section 6 of this Act, which are now or may hereafter be required by law to be issued, collected for and paid to the State of Alabama or the counties thereof in which this Act is applicable shall be issued and collected for in accordance with all sections of Chapter 20, Title 51, Code of Alabama, 1940, and all amendments thereto.

Section 8. On or after the first day of September each year, the commissioner of licenses, may mail an application in the form and containing the information hereinafter provided to all owners of motor vehicles listed as such in the motor vehicle license records (including transfers) in his office or, at his option, to such owners as request that such application be mailed to them. The application shall be on a form to be provided by the State Department of Revenue. The application form shall contain a space for the name and address of the owner of the motor vehicle and the make, model, year, and motor number of his motor vehicle and such other information with respect thereto as the State Department of Revenue may prescribe. The application form shall also contain a space for the correct amount of ad valorem taxes (state, county, school districts and municipal) and the amount of the motor vehicle license tax due thereon and the issuance fee, including the mailing fee provided for herein. The application form shall also contain a space for the owner to fill in his present address, if different from that shown in the application form, and a space for his signature. The commissioner of licenses shall cause the application form to be filled in with the name and address of the owner; the description of the motor vehicle; the license tax and fees to become due on October 1 succeeding, as shown on the license registration and transfer records in his office; and the amount of ad valorem taxes on said motor vehicle for the preceding tax year as provided by Title 51, Section 704, Code of Alabama (1940) as amended. The commissioner of licenses shall thereupon cause the application, so filled in, to be mailed to the owner of the motor

vehicle at his address shown thereon, or at the address to which such owner requests that the application form be mailed. The owner of the motor vehicle, if he is still the owner of the motor vehicle and if he desires to pay his motor vehicle ad valorem taxes and license tax and secure his motor vehicle registration tag by mail, shall sign the application form, indicating thereon any change of address, and return the same by mail together with his remittance for ad valorem taxes, license taxes, and fees as shown thereon to the commissioner of licenses. Money orders and checks for the payment of such taxes and fees shall be made payable to the commissioner of licenses. Upon receipt of the signed application form and the remittance for the amount properly due for ad valorem taxes, license tax, and fees, the commissioner of licenses shall thereupon mail a receipt for such taxes and fees and the license tag for his motor vehicle to the owner thereof. When an application is returned to the commissioner of licenses, unsigned, or when less than the correct amount of the taxes and fees due therefor has been paid, due to a change of address or other causes, such application shall be returned to the owner for correction or for signature. A return of such application or remittance shall not, however, extend the time within which taxes may be paid or a tag secured. If more than the correct amount of taxes and fees is received, the commissioner of licenses shall retain the correct amount of taxes and fees and return the excess together with the tag for the motor vehicle.

Section 9. All applications for motor vehicle tags by mail and the correct amount of taxes and fees shall be received by the commissioner of licenses on or before November 10th preceding November 15th, the final date on which the motor vehicle license tag is payable without penalty, and the commissioner of licenses shall mail such tag on or before November 14th preceding such November 15th. The commissioner of licenses shall charge and collect a fee of \$1.00 for each motor vehicle license tag issued by mail, in addition to all fees prescribed by law. Such additional fee shall be paid by the owner of the motor vehicle with his mailed request for license tags, and such fees collected by the commissioner of licenses shall be paid into the general fund of the county. The procedure authorized by this Act for the payment of ad valorem taxes and motor vehicle license taxes and the issuance of license tags is optional, additional, and alternative to the procedure now provided by law. Each owner of a motor vehicle shall continue to have the right to pay taxes and to receive his tag in person without the payment of the additional fee hereinabove provided. All the forms necessary in the administration of this Act shall be furnished by the State Department of Revenue.

Section 10. The purchaser of an automobile shall within ten days after transfer of title to him, have the transfer of title made on the records contained in the office of the commissioner of licenses at a fee of \$1.00; should the purchaser fail to do so he shall at the time his automobile is assessed for the preceding year pay to the commissioner of licenses the sum of \$5.00 as a penalty; this penalty shall be remitted by the commissioner of licenses to the county general fund.

Section 11. All duties now or which may hereafter be required by law of the judge of probate with reference to the issuance of all licenses, except marriage licenses, shall be performed by the commissioner of licenses and the commissioner of licenses shall be entitled to collect all fees, commissions, charges, penalties, and allowances now or hereafter fixed by law for the judge of probate to collect in connection with performance of said duties, and the judge of probate is relieved from any or all duties, liabilities and responsibilities with reference thereto. The fees, commissions, charges, penalties and allowances collected by the commissioner of licenses in connection with the

performance of the duties hereinabove enumerated shall be distributed as now, or as hereinafter, provided by law, either general or local. All records in the custody of the judge of probate of a county relating to the duties herein imposed on the commissioner of licenses shall, upon the effective date of this Act in said county as hereinafter provided, be delivered to the commissioner of licenses of said county.

Section 12. The state comptroller is hereby required to furnish to the commissioner of licenses all books, records, and blanks, now or hereafter required by law to be furnished to the judge of probate in connection with the performance of his duties in the issuance or collection of licenses or privilege taxes.

Section 13. All duties required by law of the probate judge with reference to the assessment and collection of ad valorem taxes on automobiles, trucks, or other motor vehicles, shall be performed and exercised by the commissioner of licenses, and the probate judge of the county are hereby relieved of all duties and responsibilities with reference thereto. The commissioner of licenses shall collect for the assessment and collection of state and county ad valorem taxes on motor vehicles the same fees, charges, penalties and commissions fixed by law to be paid to the probate judge, for the same services. The fees, charges, penalties and commissions collected by the commissioner of licenses shall be distributed as now, or as hereinafter, provided by law, either general or local. All records in the custody of the probate judge of the county relating to the duties herein imposed on the commissioner of licenses shall, upon the effective date of this Act in said county as hereinafter provided, be delivered to the commissioner of licenses of said county.

Section 14. The State Department of Revenue shall furnish the commissioner of licenses all forms and blanks necessary in connection with the performance of his duties in the assessment and collection of ad vaorem taxes on automobiles, trucks, or other motor vehicles.

Section 15. On and after the termination of the services of any county license inspector now in office in any county in which this Act applies, the commissioner of licenses shall perform all duties required by law of a county license inspector and no county license inspector shall be appointed as authorized in Section 835, Title 51, Code of Alabama, 1940 as amended. The commissioner of licenses, his chief clerk and such other assistants as are duly authorized by him shall have authority and execute all citations, writs, and other processes that a county license inspector is authorized to execute. All the duties imposed upon a county license inspector as authorized by Section 335, Title 51, Code of Alabama, 1940, as amended shall be performed by the commissioner of licenses or his authorized agents. While performing the duties of a county license inspector required by this Act the commissioner of licenses shall be entitled to receive all the fees, citations, costs, penalties, commissions and other charges now or hereafter authorized by law to be collected by a county license inspector, and he shall also be entitled to receive the fifteen per cent penalty now required to be paid by delinquents on taking out licenses, and any other penalties that may hereafter be imposed upon the delinquent license taxpayers and all such monies collected shall be paid into the general fund of the county.

Section 16. It is the intent and purpose of this Act to provide a more convenient and efficient method of issuing licenses and to render a better service to the people of such counties, by incorporating in one county office the assessment and collection of all taxes on motor vehicles.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. All laws or parts of laws which conflict with this Act are repealed.

Section 19. EFFECTIVE DATE OF ACT BECOMING LAW—

(a) This act shall become effective after the last day of March 1974, and at this time the commissioner of licenses shall have access to all licenses except marriage licenses.

STATE OF ALABAMA

HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 7-2, 6, 9, 16, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 19th day of July, 1973.

B. WALLACE MILLER,
Notary Public.

Also:

By Mr. Headley:

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), is amended to read as follows:

"Section 3. That the county commission of Chilton County, Alabama, is hereby authorized and required to draw warrants in favor of the Deputy Register of the Circuit Court, in Equity, payable out of the General Fund of said county, upon proper claim being made."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF CHILTON

Personally appeared before the undersigned, Notary Public in and for said county and state, Tommy Patterson, Publisher of the Central Alabama Independent Advertiser, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of: 27th day of June, 1973, 4th day of July, 1973, 11th day of July, 1973, 18th day of July, 1973.

TOMMY M. PATTERSON,
Publisher.

Subscribed and sworn to before me this 24th day of July, 1973.

PLUMA B. MUNCY,
Notary Public.

Also:

By Mr. Grey (D):

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The annual compensation of the superintendent of education of Fayette County shall hereinafter be fixed by the County Board of Education, and shall not exceed the sum of eighteen thousand

five hundred dollars (\$18,500) per annum. Such compensation shall be paid at the same time and in the same manner as now prescribed by law.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act shall become effective on June 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28-73, 7-5-73, 7-12-73, and 7-19-73, all in the year 1973.

JACK BLACK,
Publisher.

Sworn to and subscribed before me July 20, 1973.

ELOISE F. THOMLEY,
Notary Public.

Also:

By Mr. Grey (D):

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Fayette County; further regulating the compensation of members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education in Fayette County shall each be paid from the public school funds of the county the sum of twenty dollars per meeting of the board. Provided, such members shall not be paid for more than twenty-four (24) days in any one year. In addition to such compensation, members of the board shall be paid their actual traveling and hotel expense incurred in at-

tending meetings of the board which expenses shall be paid in the manner provided for payment of compensation to teachers in Fayette County.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed, and Act No. 608, H. 1119, Regular Session 1965, (Acts 1965, p. 1123) is specifically repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Black, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Fayette County Broadcaster, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 7, June 14, June 21, and June 28, all in the year 1973.

JACK BLACK.

Sworn to and subscribed before me July 25, 1973.

ELOISE THOMLEY,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1671, 1697, 1687 and 1686. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 267. Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Baker, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 267, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. 267

Amend Section 6 of S. 267 as amended by deleting the following sentence: "It shall be a misdemeanor (a) for the licensing officer, his employee or his agent to knowingly issue a DeKalb County motor vehicle a license for use on a motor vehicle not required by law to be licensed in DeKalb County, Alabama, and (b) for any person to knowingly apply for a DeKalb County, Alabama motor vehicle license for use on a motor vehicle not required by law to be licensed therein, for which the punishment, upon conviction, shall be a fine of not less than one hundred dollars or not more than two hundred and fifty dollars."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Baker	Fine	Lybrand	Pierce
Carr	Foshee	McLain	Register
Clark	Gilmore	Melton	Shelby
Cook	Givhan	Noonan	Vacca
Dominick	Harris	O'Bannon	Wilder
Dozier	Hawkins		

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Falkenburg, Erdreich, Waggoner, McMillan, Timmons, Hughes, Adwell, Doss, Boutwell, Meeks, Bowers, Dill, Ellis, Weeks and McNair:

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
JEFFERSON COUNTY

Notice is hereby given that a bill will be introduced in the current Regular Session, or at the next Special Session, of the Alabama Legislature for the passage of an Act to provide Judicial Officers in Jefferson County; to designate them as supernumerary county court judges of Jefferson County; to provide the conditions under which a county court judge of Jefferson County may become a supernumerary county court judge of Jefferson County; to prescribe the qualifications, tenure of office, duties, powers, authority and compensation and method of removal of supernumerary county court judges of Jefferson County and to regulate the duties of other officers with respect thereto; to make any other provisions appropriate to the purposes and implementation of this Act and to repeal conflicting laws.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 2, 9, 16, 23, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 17th day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Gray (F) and Reed (T):

H. 1451. To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), is hereby amended to read as follows:

"Section 1. The jailer appointed by the sheriff of Macon County shall receive a salary not to exceed \$400 per month. Such salary shall be fixed by the court of county commissioners or other like governing body of the county and shall be payable in equal installments out of the general funds of the county."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24th, May 31st, June 7th, and 14th, all in the year 1973.

NEIL O. DAVIS,
Publisher.

Sworn to and subscribed before me June 15th, 1973.

ALICE M. WHITE,
Notary Public.

Also:

By Messrs. Gray (F) and Reed (T):

H. 1453. To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 10 of Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225), an act which created and established the board of revenue of Macon County, is further amended to read as follows:

"Section 10. The members of the Macon County Commission, including the Chairman, shall each be entitled to receive a monthly salary of Five Hundred Dollars (\$500) for the performance of their duties, to be paid out of the county treasury on the certificate or warrant of the Chairman. In addition, each member shall be entitled to ten cents (10¢) per mile for each mile traveled on official business, but the total mileage allowance claimed by or paid to any member for any calendar month shall not exceed Two Hundred Dollars (\$200); except

that when authorized by the Commission, the members shall in addition be entitled to a mileage allowance of ten cents (10¢) per mile for attending any state or national convention of the Association of County Commissioners of Alabama, or the National Association of Counties, or their successor organizations."

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24th, May 31st, June 7th, and June 14th, all in the year 1973.

NEIL O. DAVIS,
Publisher.

Sworn to and subscribed before me 15th of June, 1973.

ALICE M. WHITE,
Notary Public.

Also:

By Mr. Headley:

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

Also:

By Mr. Headley:

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

Also:

By Messrs. Waldrop, Carnes and Wynot:

H. 1666. To authorize and permit flea markets to remain open on Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal decennial census, provided such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county:

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, provided that each such grocery store shall first obtain a special license from the license issuing officer of such county.

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of Registrars in counties having populations of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

Also:

By Messrs. Mims and Warren:

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MONROE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the town of Excel, Monroe County, Alabama, be and the same are hereby altered or rearranged so as to include all the territory heretofore encompassed by the corporate limits of the town of Excel and in addition thereto the following described territory to wit:

Beginning at the Northwest corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, T5N, R7E, being the Northeast corner of the existing corporate limits of Excel, Alabama; thence East $\frac{1}{8}$ mi. to the Northeast corner of the West half of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence South 3-16 mi. to the North line of the S $\frac{1}{2}$ of S $\frac{1}{2}$ of S $\frac{1}{2}$ of the Northeast quarter of Section 2, T5N, R7E; thence East $\frac{3}{8}$ mi. to the East line of Section 2; thence South $\frac{1}{8}$ mi. to the South line of the N $\frac{1}{2}$ of N $\frac{1}{2}$ of N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 2; thence West $\frac{1}{2}$ mi. to the West line of the E $\frac{1}{2}$ of

Sec. 2, being the East line of the existing corporate limits of Excel, Alabama; thence North 5-16 mi. to the point of beginning, embracing an area of 55 acres, more or less.

Also: Beginning at the Northeast corner of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3, T5N, R7E, being the Southwest corner of the existing corporate limits of Excel, Alabama, thence West $\frac{1}{4}$ mi. to the West line of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 3; thence South $\frac{3}{8}$ mi. to the Southwest corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 10, T5N, R7E; thence East $\frac{1}{2}$ mi. to the East line of Sec. 10; thence North $\frac{3}{8}$ mi. to the Northeast corner of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 3, T5N, R7E, and being the South line of the existing corporate limits of Excel, Alabama; thence West $\frac{1}{4}$ mi. to the point of beginning, and embracing an area of approximately 120 acres.

The above described parcels are intended to be a description of and to embrace the West half (W $\frac{1}{2}$) of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$; the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$; the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$; and the N $\frac{1}{2}$ of N $\frac{1}{2}$ of the SE $\frac{1}{4}$, all in Section 2, T5N, R7E. Also, the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 3, T5N, R7E and the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 10, T5N, R7E, all in Monroe County, Alabama.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA MONROE COUNTY

Before me, Bill Stewart, a Notary Public in and for said County in said state personally appeared Bill Stewart, who is known to me, and who, being duly sworn, deposes and says:

That he is Publisher of The Monroe Journal, a newspaper published weekly at Monroeville, in Monroe County, Alabama, and that the above was published in said newspaper once a week for 4 successive weeks, said notice appearing in the following issues: June 14, June 21, June 28, July 5, 1973, inclusive.

BILL STEWART.

Sworn to and subscribed before me this day of July 13th, 1973.

FRANCES REID NETTLES,
Notary Public, Monroe County, Ala.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1575. To the Committee on Local Legislation No. 2.

H. B.'s 1451, 1453, 1628, 1629, 1666, 1667, 1668 and 1680. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Boutwell, Wallace, Doss and Bowers:

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, provided in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY DURING 1973 REGULAR
SESSION OF THE ALABAMA LEGISLATURE FOR ADOPTION
OF A LAW AMENDING SECTION 15 OF ACT NO. 79 OF SPECIAL
SESSION OF 1966

Notice is hereby given that during the Regular Session of the Legislature of Alabama of 1973, application will be made for enactment of a law further amending, as below stated, Section 15 of Act No. 79 of Special Session of 1966 (Ala. Acts, Special Session of 1966, p. 106), as heretofore amended.

The amendment would incorporate all provisions presently in said Section 15 into a subsection which will be designated as (a), and in addition the following sentence will be inserted as the last sentence of subsection (a):

If the committee has not been appointed within thirty days after a district has been abolished any qualified elector residing within the area which comprised the abolished district may request, orally or in writing, the officials empowered to appoint the committee to make the appointments.

Immediately following such subsection (a), the amendment would insert subsection (b), summarized in the sentence next following. Subsection (b) would provide that if after abolishment of a district and before the Committee disposes of the assets of the abolished district a new district is created containing at least 90 percent (90%) of the territory the abolished district contained, then the new district shall receive and own such assets and shall use the same for its benefit. Said subsection (b) will apply to any district abolished before or after the enactment of said subsection (b).

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICA-

TION SINCE 1918, And that there was published in said newspaper in the issues of May 26, June 2, 9, 16, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 18th day of June, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Gafford, Doss, McMillan, Timmons, Hughes, Dill, Meeks, Erdreich, McNair, Boutwell, Weeks, Waggoner, Falkenburg, Ellis, Wallace, McBride and Boles:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

Also:

By Messrs. Doss, Dill, Falkenburg, McNair, Bowers, Timmons, Adwell, Hughes and Ellis:

H. 998. To authorize, provide for, and regulate the introduction in evidence in any court in the state, when the original thereof would be admissible, of certified copies of certain hospital records of any hospital located in Alabama counties of more than 600,000 population, according to the last or any subsequent Federal census, organized or operated under or pursuant to the laws of Alabama, as to and concerning a patient in said hospital; to prescribe the form of the certificate to be used for certifying copies of such records, the procedure for obtaining and handling such records, the manner of copying such records, the costs and charges therefor and the manner of payment thereof and the probate value of such records.

Also:

By Mr. McBride:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

Also:

By Messrs. Timmons and Adwell:

H. 1646. Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund";

to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

Also:

By Mr. Fite:

H. 457. To provide additional exemptions from the sales and use taxes levied in Marion County under the provisions of Act No. 647, H. 871, 1967 Regular Session, (1967 Acts, p. 1460).

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MARION**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide additional exemptions from the sales and use taxes levied in Marion County under the provisions of Act No. 647, H. 871, 1967 Regular Session, (1967 Acts, p. 1460).

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be exempted from any taxes levied under the provisions of Act No. 647, H. 871, 1967 Regular Session, (1967 Acts, p. 1460), the gross proceeds of the sale of, and the storage, use or consumption of ammonium nitrate used for blasting in the coal mine industry, which exemptions shall be in addition to any and all other exemptions prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF MARION**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 11, January 18, January 25, and February 1, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me 13th March, 1973.

RAYMOND C. LOGAN,
Notary Public.

Also:

By Mr. Carter:

H. 1330. Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1514, 855, 998, 1047 and 1646. To the Committee on Local Legislation No. 2.

H. B.'s 457 and 1330. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs Coshatt and Reid (R):

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Also:

By Messrs. McCorquodale and Agee:

H. 1537. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal decennial census; levying a privilege license or excise tax on certain sellers and distributors of spiritous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Also:

By Mr. Easters:

H. 1239. Relating to counties having a population of not less than 34,100 nor more than 34,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

By Messrs. Kinsey and Benton:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

Also:

By Messrs. Cross and Carter:

H. 1681. Relating to counties having populations of not less than 27,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

Also:

By Mr. Reid (R):

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

Also:

By Mr. Reid (R):

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; providing further for the expense allowances of members of the county commission in such counties.

Also:

By Mr. Mathews:

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

By Messrs. Hardin and Edwards:

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the second Judicial Circuit.

Also:

By Messrs. Slate and Cauthen:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1397, 1537, 1239, 1310, 1681, 1517, 1566, 1603, 1679 and 1689. To the Committee on Local Legislation No. 1.

BILL RE-REFERRED

Mr. Pierce moved that, in accordance with Senate Rule 50, the Bill, S. B. 393, be removed from the Calendar and re-referred to the Standing Committee on Finance and Taxation, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 393, re-referred to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stokes, Nettles and Roberts:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

By Mr. Callahan:

H. 1367. Relating to Mobile County, to increase the compensation of election officials in such county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County, to increase the compensation of election officials in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Mobile County, the compensation of the election officers holding general, special, primary and municipal elections shall be \$25.00 per day for clerks, and \$40.00 per day for inspectors. The returning officer shall be entitled to mileage according to law in addition to his per diem as is provided for in Act No. 263, S. 222, Special Session

1961 (Acts 1961, p. 2280). The Mobile County treasury shall not be reimbursed for the amount by which the above described compensation exceeds the compensation prescribed for certain elections by Title 17, Section 427, Code of Alabama, 1940.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me July 3, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Perloff:

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Saraland in Mobile County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to wit:

Beginning at the Southeast corner of Section 31, Township 2 South, Range 1 West; thence north along a line a distance of 1108 feet, more or less, to a point on the south line of Alvarez's Fifth Addition, said point being 225.5 feet from the southeast corner of said subdivision and also

being located on the existing Corporate Limit line; thence west along the south line of Alvarez's Fifth Addition a distance of 494.50 feet to the southwest corner of said subdivision; thence north along the west line of Alvarez's Fifth Addition a distance of 1536 feet, more or less, to a point in the center of Bayou Sara Creek said point also being the northwest corner of said subdivision; thence southwestwardly along the meanderings of the centerline of Bayou Sara Creek a distance of 1,000 feet, more or less, to a point which lies 2,957 feet, more or less, south and 1635 feet, more or less, west of the northeast corner of Section 31; thence north along a line a distance of 2,880 feet, more or less, to a point on the southwest right of way line of Celeste Road; thence northwest along said right of way line a distance of 33.8 feet to a point formed by the intersection of the southwest right of way line of Celeste Road and the south right of way line of LaFitte Drive; thence west along the south right of way line of La Fitte Drive a distance of 994.7 feet to a point on said right of way line; thence south a distance of 2,657 feet more or less to a point; thence west a distance of 551.6 feet to a point; thence south a distance of 2,640 feet, more or less to a point on the south line of Section 31, said point also lying on the centerline of the Old C. C. Road; thence east along the south line of Section 31 and the centerline of the Old C. C. Road a distance of 3013 feet, more or less, to the point of beginning. Herein described property being situated in Section 31, Township 2 South, Range 1 West, Mobile County, Alabama and containing approximately 230 acres.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 13, April 20, April 27, and May 4, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me May 10, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Perloff:

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Saraland in Mobile County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to wit:

Beginning at the northwest corner of fractional Section 33, Township 2 South, Range 1 West; thence east along the north line of fractional Section 33 a distance of 210.5 feet to the southwest corner of regular Section 28, Township 2 South, Range 1 West; thence north along the west line of Section 28 a distance of 2640 feet, more or less, to the northwest corner of the southwest one quarter of Section 28; thence east along the north line of the southwest and southeast one quarters of Section 28 a distance of 3415 feet, more or less, to a point formed by the intersection of said north line and the west right of way line of Interstate Highway 65; thence southwest along the west right of way line of Interstate Highway 65 distance of 5050 feet, more or less, to a point formed by the intersection of said right of way line and centerline of Bayou Sara Creek, said centerline also being the existing Corporate Limit line of the City of Saraland; thence westwardly along the meanderings of the centerline of Bayou Sara Creek and existing Corporate Limit line a distance of 1800 feet, more or less, to a point formed by the intersection of said line and the west line of fractional Section 33, Township 2 South, Range 1 West; thence northerly along the west line of fractional Section 33 a distance of 1574 feet, more or less, to the point of beginning of description. Herein described property being located in Section 28 and fractional Section 33, Township 2 South, Range 1 West, Mobile County, Alabama and containing approximately 181 acres.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 13, April 20, April 27, and May 4, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me May 10, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Messrs. Therrell, Stokes, Callahan, Perloff and Nettles:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

Also:

By Mr. Perloff:

H. 1086. To amend Section 2 of Act No. 370, S. 439, Regular Session 1953 (Acts 1953, p. 439), which section relates to the authority of the governing body of any city or town in any county of the State of Alabama having a population of not less than 225,000 nor more than 500,000 inhabitants, according to the most recent federal decennial census, to confer upon the chief of police of any such city or town to suspend any employees of the police department of such city or town, so as to provide that such suspended employees shall have right of appeal from such suspension.

Also:

By Messrs. Therrell, Callahan, Perloff and Wood:

H. 607. To provide that the fire fighters or police officers of any city having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, may by election designate bargaining agents to represent each in respect to the wages the City employing each shall pay each and in respect to other conditions of employment; to provide for calling and conducting elections to certify bargaining agents and elections to decertify bargaining agents to authorize the Director of Labor of the State of Alabama to establish rules and regulations governing the call of, notice of, and conduct of such elections; to provide for collective bargaining proceedings to be instituted by the bargaining agents or the officers or body empowered to establish wages for the fire fighters or police officers; to provide for compulsory arbitration; to provide for the appointment of arbitrators and define their jurisdiction and authority; to provide that it shall be unlawful for a fire fighter or police officer to strike or engage in any work stoppage or slowdown, and that it shall be unlawful for any bargaining agent, or any officer or body empowered to establish wages for fire fighters or police officers to fail to bargain in good faith, in accordance with this Act; to provide penalties for any person violating this Act; and to repeal all laws or parts of laws, whether general, special or local, in conflict with this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 444, 1367, 742, 744, 1170, 1086 and 607. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stubbs, Lyons, Drake, Robertson, Reid (R), Fite, Doss, Williams, Burgess, Headley, Naramore, Boles, Bowers, Wallace, Crowe, Erdreich and Boutwell:

H. 1273. To amend Section 257, subsection (d) of Section 262, Sections 263, 269, 270, 271, 272, 273, 277, 279, 280, 283, 285, 286, 289, 292, 293, 301, paragraphs (2), (4) and (5) of Section 309, Sections 312 and 324, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 3, 5, 6, and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, and to repeal Sections 255, 256, 274, 275, 276, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 5 and 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 4 and 7 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 4 and 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, relating to providing compulsory coverage of subject employers and employees, extending coverage to common carriers but specifying certain persons not to be employees of common carriers, allowing elective coverage of farmers, providing immunity under certain circumstances from suits to co-employees, to workmen's compensation insurance carriers of employers and to persons or companies making certain safety inspections, extending the presumption of dependency to include husbands, increasing the maximum and minimum weekly compensation payable, extending the maximum number of weeks payable for permanent total disability and for death, increasing the amount payable for burial expense, reducing the number of days of disability required before compensation is payable for the waiting period, providing for a penalty for late payments of compensation, increasing medical benefits and extending the period during which such benefits are payable, specifying coverage of physical rehabilitation as a medical benefit, providing for a change of physician under certain circumstances, increasing the basis of calculation whereby an employer may be discharged from the payment of future installments of compensation, providing for additional reports to be filed with the Department of Industrial Relations, authorizing the Director of Industrial Relations to require self-insured employers to post bond or securities and to prescribe other rules and regulations regarding self-insurance, providing for the applicability of and effect of Articles 1, 2, and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, providing for penalties for the failure to secure compensation liability and for failure to file reports, permitting the parties to agree as to the intervals at which certain benefits shall be paid, and appropriating \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and \$46,000 for the fiscal year beginning October 1, 1974, and ending September 30, 1975, out of the general fund of the State Treasury to the Department of Industrial Relations for carrying out the purpose of this Act, all relating to the Workmen's Compensation Law, Articles 1, 2, 2A, 2B, 2C, and 3 of Chapter 5 of Title 26 of the Code of Alabama 1940,

as last amended, pertaining to compensation of employees by employers for job-related injuries and certain illnesses and diseases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1273. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe and Naramore:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Also:

By Mr. Jones (F):

H. 80. To regulate further the power and authority of cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census, to levy or impose privilege license taxes.

Also:

By Mr. Edwards:

H. 1326. To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Prattville, Autauga County, are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Prattville and in addition thereto the following described territory:

Begin at the Northeast Corner of the Northwest Quarter of Section 2, Township 17 North, Range 16 East, (the Northeast Corner of the present city limits), thence South 13,881 feet, more or less, to a point; this point being common to the Eastern boundary line of the West Half of Section 23, Township 17, Range 16, and to a line parallel to and 600 feet Southwesterly of the center line of U. S. Highway 31 (the Southeast Corner of the present city limits) thence in a Southeasterly direction 5720 feet parallel to center line of U. S. Highway 31 to a point in Section 25, Township 17 North, Range 16 East, on the North right of way of County Road No. 4, thence Easterly along the North right of way of County Road No. 4 and the extension of said line thereof to a point on the East line of Fractional Section 25 and being the boundary between Autauga and Elmore Counties, thence North along the boundary between Autauga and Elmore counties, 23110 feet, more or less, to the Northeast Corner of Fractional Section 1, Township 17 North, Range 16 East, thence Westerly along North line of Sections 1 and 2 to the point of beginning.

Section 2. The substantive provisions of this act shall become effective only if the act is approved by a majority of the qualified electors of Autauga County who reside within the territory described above, voting in a referendum election to be held on the first Tuesday after the expiration of thirty days from the effective date of this act. The notice of the election shall be given by the probate judge of Autauga County by publication of such notice in one issue of a newspaper of general circulation in Autauga County. The question shall be the adoption of Act No. — of the 1973 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the City of Prattville in Autauga County. The City of Prattville shall provide the place of election and ballots therefor on which shall be written or printed the words "Do you favor the adoption of Act No. — of the 1973 Regular Session of the Legislature, which alters, rearranges, and extends the corporate limits of the City of Prattville?" If the voter desires to vote for the adoption of said act such voter shall mark the ballot the word "Yes." If he desires to vote against the adoption of such act the word "No" shall be marked on his ballot. The City of Prattville shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this act shall become operative immediately. If a majority of the votes are "No" this act shall have no further effect. The probate judge of Autauga County shall certify the result of the election to the Secretary of State.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Editor and Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, 21, 28, and July 5, all in the year 1973.

NORMAN E. RIDENHOUR.

Sworn to and subscribed before me 9th day of July, 1973.

LINDA M. TRAYWICK,
Notary Public.

My Commission Expires Jan. 6, 1976.

Also:

By Messrs. Boutwell, McNair and Weeks:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

Also:

By Messrs. Weeks, Boutwell, Ellis, Meeks, Hughes, Dill, Adwell, McMillan, Waggoner, McBride, McNair and Falkenburg:

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 955, 80 and 1326. To the Committee on Local Legislation No. 1.

H. B.'s 1207 and 1456. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Slate and Cauthen:

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

Also:

By Messrs. Slate and Cauthen:

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

Also:

By Messrs. Slate and Cauthen:

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

Also:

By Messrs. Slate and Cauthen:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

Also:

By Messrs. Slate and Cauthen:

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

Also:

By Messrs. Slate and Cauthen:

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

Also:

By Messrs. Benton and Kinsey:

H. 1698. To amend Sections 2, 4, 6, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

Also:

By Mr. Owens:

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. At the expiration of the terms of office presently held by the incumbent members of the governing body of Bibb County, the salary of each member of said body shall be \$500.00 per month, and each member shall receive \$100.00 per month in addition to the salary as expense allowance. Both salary and expense allowance shall be payable from the county treasury and shall be the total compensation of such members; and shall be in lieu of any salary, fee or compensation heretofore prescribed by law.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1706. Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 3, 4, 5 and 6 of Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577) are hereby amended to read as follows:

"Section 3. The sheriff of Bibb County shall with the approval of the county governing body, appoint a chief deputy whose salary shall be fixed by the governing body at not less than \$600.00 nor more than \$800.00 per month.

"Section 4. The sheriff shall, with the approval of the county governing body appoint three deputies whose salary shall be fixed by the governing body at not less than \$350.00 nor more than \$700.00 per month each.

"Section 5. The sheriff shall, with the approval of the county governing body appoint a secretary whose salary shall be fixed by the governing body at not less than \$300.00 nor more than \$500.00 per month.

"Section 6. The sheriff shall, with the approval of the county governing body, appoint two jailors, whose salary shall be fixed by the governing body at not less than \$350.00 nor more than \$600.00 per month."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Bibb County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) After the Bibb County governing body has determined that such a need does exist in Bibb County, the county governing body may, in the manner hereinafter specified, provide for a financial charge or tax of five cents per acre to be paid by the owners of forest lands located in Bibb County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The need for such a financial charge or tax to provide forest fire protection within the county shall be determined by the county governing body after a public hearing is held thereon. Notice of such public hearing shall be given by the county governing body for a period of two consecutive weeks by advertisement in a newspaper of general circulation in Bibb County. Such advertisement must indicate the date, time, and place of the hearing, the manner proposed to finance such fire protection program, and the part of the cost of such program that is proposed to be paid by the owners of forest lands. Any person owning forest land in Bibb County may appear in person or by attorney at such time and place and make defense against such financial charge or tax or the amount thereof. After such hearing the county governing body shall determine the amount of such financial charge or tax and enter on the minutes of the governing body an order fixing such financial charge or tax.

Section 4. Any such financial charge or tax fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owners of the forest lands, as herein defined, shall make report of same to the tax assessor of Bibb County at the time fixed by law for making return of the property of such property owner. Financial charges or taxes levied shall constitute a lien on the property against which they are charged or taxed in case of default in the payment of such financial charge or tax the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county ad valorem taxes and redemption from such sale may be effected in the same manner as is provided by law for redemption where land is sold for non payment of ad valorem taxes.

Section 5. The county governing body of Bibb County is authorized to appoint agents and delegate authority to individuals to search out forest lands in Bibb County, determine the area and owners thereof, and report same to the tax assessor of Bibb County who shall be authorized, after notice by certified mail to such owners, and hearing before the county governing body if so requested by such owners, to place said financial charge or tax against said forest lands as may be determined by the report of such agents or the determination of said county governing body.

Section 6. The tax herein imposed shall be due and payable quarterly to the state department of revenue, and shall, when collected, be paid by such department into the state treasury, and accredited to Bibb County. All monies collected in accordance with this Act shall be spent in participating in the Alabama Forestry Commission's forest fire protection program in Bibb County.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four

successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-5, 7-12, 7-19, and 7-26, all in the year 1973.

J. W. OAKLEY, JR.

Sworn to and subscribed before me July 30, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1690, 1691, 1692, 1693, 1694, 1695, 1698, 1705, 1706, 1707, 1708 and 1709. To the Committee on Local Legislation No. 1.

(The above Bill, H. B. 1709, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Connell and Crawford:

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Houston County, Alabama, may, after the effective date of this Act, employ the following deputies and clerks at the following rates of compensation, Viz; not less than one (1) Chief Deputy who shall receive not less than Eighty Seven Hundred Dollars (\$8,700) per annum; not less than Eleven (11) deputies and each shall

receive not less than Seventy Two Hundred Dollars (\$7,200) per annum; not less than Three (3) deputies who shall serve as jailers, each shall receive not less than Seventy Two Hundred Dollars (\$7,200) per annum; not less than one (1) Clerk with the Classification of Clerk I Bookkeeper deputy; who shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than one (1) clerk with the classification of Clerk II bookkeeper deputy, who shall receive not less than Fifty Four Hundred Dollars (\$5,400) per annum; not less than one (1) clerk with the classification of Clerk III Bookkeeper deputy, who shall receive not less than Fifty One Hundred Dollars (\$5,100) per annum; each of the above said deputies and clerks bookkeeper deputy shall be entitled to a five per cent increase of their total salary effective October 1, Effective October 1, 1975, each of the above said deputies and clerks bookkeeper deputy shall be entitled to a 5 per cent increase of their total salary and thereafter each of the deputies and clerks Bookkeeper Deputy shall be entitled to additional increases after each additional three year period of employment in amounts equal to not less than five per cent of their basic salary; such increases shall be subject to the approval of the Sheriff of said county.

Section 2. The deputies and clerk bookkeeper deputy provided for in this act shall receive their compensation in equal monthly installments upon warrants drawn in the same manner as other employees of Houston County, Alabama and out of funds available for such purposes, the board of commissioners or other like governing body of Houston County may in its discretion, provide for the payments of the compensation of the Chief Deputy and any of the other deputies to be paid in whole or in part from the County public Highway and traffic fund.

Section 3. The deputies and clerks Bookkeeper Deputy provided for in this act shall serve at the pleasure of the Sheriff and they shall be appointed by the Sheriff and shall perform such duties as the Sheriff may prescribe.

Section 4. The deputies and clerks employed in this act, before entering upon their duties, such deputies and clerks shall make bond payable to the Sheriff of said county in the sum of Two Thousand Dollars (\$2,000) conditioned as required by Section 35, Title 41, Code of Alabama 1940, premiums on such bonds shall be payable from such funds as the County Commission or like governing body of Houston County prescribes.

Section 5. Nothing herein contained shall be construed as depriving the board of county commissioners or like governing body of Houston County of authority to provide additional deputies and clerks bookkeeper deputy as the Sheriff may require for the efficient conduct of his office and their compensation shall be fixed by the said county commissioners or like governing body of said county, the additional deputies and clerks shall come under the provisions of this Act.

Section 6. This Act shall supersede (Act 189, S. 379 page 503, Regular Session 1969) (Act No. 1102, H. 1935, page 1934; Regular Session 1971) All other laws or parts of laws which conflict with this act are repealed.

Section 7. The provisions of this act are severable, if any part is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This act shall become effective October 1, 1973.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 6-27; 7-4, 6, 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Mr. Owens:

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), is hereby amended to read as follows:

"Section 4. Each commissioner of the county governing body shall receive a monthly salary of \$300, and \$300 per month expense allowance, both payable from the county treasury."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1973.

J. W. OAKLEY, JR.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Hale County; providing for the election of the associate members of the county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. In Hale County the associate members of the county commission, Board of Revenue or other like governing bodies of such county, shall reside in and be a qualified elector of the district he represents but all such members shall be elected by the qualified electors of the county.

Section 2. The county shall remain in four districts numbered one through four. District No. 1 shall be composed of beats 2, 12, 16, and

all of beat 1 lying west of Alabama State Highway 69. District No. 2 shall be composed of beat 6 and all of beat 4, from the north beat 4 boundary line, lying west of Alabama State Highway 69 south to Hale County Highway 24, and all of beat 4 lying north of Hale County Highway 24, to the west boundary line of beat 4. District 3 shall be composed of beats 5, 7, 8, 9, all of beat 4 lying west of Alabama State Highway 61 south from the intersection of Alabama State Highway 14, all of beat 4 lying south of Alabama State Highway 14 from the intersection of Alabama State Highway 69 to Alabama State Highway 61, all of beat 4 lying east of Alabama State Highway 69 South of the intersection of State Highway 14 down to Hale County Highway 24, then all of beat 4 lying south of Hale County Highway 24. District 4 shall be composed of beats 3, 10, 11, 13, all of beat 1 lying east of Alabama State Highway 69, all of beat 4 lying east of Alabama State Highway 61 south from the intersection of Alabama State Highway 14, all of beat 4 lying north of Alabama State Highway 14 east to Alabama State Highway 61, from the intersection of Alabama State Highway 69, all of beat 4 lying east of Alabama State Highway 69 from the north beat 4 boundary line south to the intersection of Alabama State Highway 14. The word "beats" as used herein means the election beats or precincts into which the county is divided pursuant to law on the date on which this act becomes law.

Section 3. The members shall be elected for overlapping terms. Clifton Abernathy, Jr., shall serve district 1, Harry W. Drake shall serve district 2, Goldsby Tucker shall serve district 3, and John B. Stokes shall serve district 4. Members of the governing body in districts 2 and 3 shall be elected at the general election held in 1976. Members of district one and four shall be elected at the general election held in 1974; each member shall take office on the first Monday after the second Tuesday in January next following their election. All members of the governing body shall serve for four year terms.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1973.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me July 26, 1973.

WILLIE L. ARRINGTON,
Notary Public.

Also:

By Mr. Owens:

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

Also:

By Mr. Owens:

H. 1719. To authorize the establishment of branch banks in Hale County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the establishment of branch banks in Hale County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, whose principal place of business is located in Hale County, shall have the power to establish, maintain, and operate within the limits of said county, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama,

and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1973.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me July 26, 1973.

WILLIE L. ARRINGTON,
Notary Public.

Also:

By Mr. Owens:

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Hale County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Thursday, July 5, Thursday, July 12, Thursday, July 19, and Thurs., July 26, all in the year 1973.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me July 26, 1973.

WILLIE L. ARRINGTON,
Notary Public.

Also:

By Mr. McCorquodale:

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLARKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court, in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clarke County Commission, in its discretion and upon its resolution duly adopted and recorded, shall be authorized to provide for the establishment of an inferior court for Clarke County which shall be in lieu of the existing Inferior Court of Clarke County and which shall be known as the Clarke County Inferior Court. Such court shall be established as hereinafter provided.

Section 2. Upon a resolution of the Clarke County Commission, duly adopted and recorded in its minutes, in favor of establishing an inferior court in lieu of the existing inferior court in Clarke County,

the Clarke County Inferior Court shall be created. Such court shall have original jurisdiction concurrent with the circuit court of Clarke County of all misdemeanors committed in Clarke County, preliminary jurisdiction of all felonies concurrent with the jurisdiction heretofore exercised by justice of the peace courts of the county and by the Inferior Court of Clarke County; and it shall have all other jurisdiction which is now or may hereafter be conferred by general law upon the county courts of this state. Such court shall also have and exercise jurisdiction in all civil actions at law, except actions of ejectment, where the amount in controversy does not exceed \$1,000.00; and the jurisdiction of said court shall extend to and include, but not be limited to, all statutory actions for recovery of possession of land under Title 31, Chapter 3, Section 35 through 45, and Title 7, Chapter 26, Section 964 through 994, of the Code of Alabama as such statutes now exists or may hereafter be amended.

Section 3. A term of the Clarke County Inferior Court for the trial of both civil and criminal matters shall be held on the first Monday of every month; special session may be held at any time, except on Sunday, as the judge of the court may direct. All sessions of the court shall be held at the courthouse of the county, and may continue until the business of the court is disposed of. Said court shall be open at the discretion of the judge thereof any day during the week, except Sundays, for the trial of criminal offenses coming within its jurisdiction in all cases where the party or parties charged cannot give bond and security for their appearance at the regular terms of said court or desire an immediate trial. In such cases, causes may be continued for good cause shown under the regulations governing the continuance of causes in county courts; but nothing herein contained shall be so construed as to prevent or interfere with the regular terms of said court.

Section 4. The term of office of the judge of such court shall be six years and shall be concurrent with that of the Judge of Probate of the County; upon creation of such court, the Governor shall appoint the judge of such court to hold office upon expiration of the then current term of such Judge of Probate, and his successors shall be elected at the general election next preceding such expiration; provided, however, that if such court be created more than two years prior to expiration of the then current term, the judge so appointed shall hold office only until the next succeeding general election, at which a successor to such judge shall be elected for the remainder of the unexpired term; each such judge shall hold office until his successor is elected and qualified. It shall not be necessary that such judge be learned in the law, but he shall be a resident and qualified elector of the county at the time of his appointment or election and throughout his term of office.

Section 5. The Judge of the Clarke County Inferior Court shall receive an annual salary of \$6,000.00, payable in equal monthly installments out of the county treasury; and such salary shall be the only compensation allowed the judge of said court for services rendered in and about such court. Said judge shall have all the duties, powers and authority which are now or may hereafter be conferred by general law upon the judges of county courts of the state.

Section 6. The Clarke County Inferior Court shall not be a court of record, and appeals from the judgments rendered by said court may be taken to the circuit court of said county in the same way and in accordance with the same procedure as provided for appeals from the county courts of this state in criminal matters and as formerly provided for appeals from justice of the peace courts in civil matters.

Section 7. The clerk of the circuit clerk of the county shall be ex officio clerk of the Clarke County Inferior Court. He shall have all of

the duties, powers and authority which are now or may hereafter be conferred by general law upon the clerks of county courts of the state; and in addition, he may take affidavits and complaints in misdemeanor cases and may issue warrants of arrest in such cases returnable to the court. Such complaints and warrants shall have the same legal force and effect as though the same had been taken or issued by the judge of said court.

Section 8. The clerk of the Clarke County Inferior Court shall receive as compensation for his services in said court the same costs, fees and compensation as are now allowed by law to clerks of county courts in criminal cases, which shall be paid in like manner; in civil cases, he shall receive as compensation for his services in said courts the same costs, fees and compensation as are now allowed by law to clerks of the circuit court in civil cases, which shall be paid in like manner.

Section 9. The sheriff of Clarke County shall in person or by deputy attend upon the Clarke County Inferior Court, preserve order, execute all writs of process issued therefrom and perform such other duties as he is required by law to perform in the circuit court of the county. For services rendered by him, other than attendance upon said court, there shall be computed the same costs, fees and compensation as are allowed by law for similar services performed by sheriffs in both civil and criminal cases in the circuit courts of this state, which shall be paid in like manner, but shall be paid into the General Fund of the County when collected.

Section 10. The laws and rules governing practice and procedure in the county courts and formerly governing practice and procedure in justice of the peace courts while they existed, shall apply in the Clarke County Inferior Court; however, civil suits must be commenced by summons and complaint served on the defendant not less than 15 days before the return day thereof. Service of the summons and complaint must be executed by personal service of a copy thereof on the defendant. Court costs in criminal cases in the Clarke County Inferior Court shall continue to be taxed and collected as they are now or hereafter taxed and collected, and in civil cases the costs shall be the same as are now or hereafter provided by law or the Circuit Court of Clarke County.

Section 11. Upon the establishment of the Clarke County Inferior Court, all cases and actions pending in the Inferior Court of Clarke County shall, on the date of such establishment, be transferred to the Clarke County Inferior Court and shall proceed as though begun therein, whereupon the Inferior Court of Clarke County shall be abolished. As to judgments rendered by the abolished court, the court established in lieu of such court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 12. The provision of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 14. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. W. McGwier, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1973.

R. W. McGWIER.

Sworn to and subscribed before me July 19, 1973.

HAZEL KEEN,
Notary Public.

Also:

By Mr. Porter:

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

Also:

By Mr. Fite:

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide additional exemptions from the Marion County sales and use tax law.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be exempted from the computation of the amount of the Marion County sales and use tax levied, assessed, or imposed by Act No. 115, H. 409, Regular Session 1949 (Acts of Alabama 1949, p. 139) the gross proceeds of the sale of ammonium nitrate used for blasting in the coal mining industry, which exemption shall be in addition to all other exemptions prescribed in or provided for by said Act No. 115 of 1949, as amended.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first of the month next following the day of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald E. Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1973.

DON E. GIPSON.

Sworn to and subscribed before me July 27th, 1973.

RAYMOND C. LOGAN,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1732. To amend Section 6 of Act Number 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 6 of Act No. 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 6 of Act No. 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled as aforesaid, be and the same is hereby amended to read as follows:

"Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees, percentages, commissions and other allowances which the tax assessor, the tax collector of the county are now or hereafter by law authorized or directed to charge or collect for the performance of any duty hereby imposed on the county revenue commissioner; as compensation for the performance of the duties of his office the county revenue commissioner shall receive an annual salary of Fifteen Thousand Dollars (\$15,000), said salary shall be paid in equal monthly installments and out of any funds of the county available for such purpose.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
HOUSTON COUNTY**

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-20, 27; 5-4, 11, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Mr. Owens:

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

**STATE OF ALABAMA
COUNTY OF BIBB**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Centreville in Bibb County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to wit:

PARCEL NUMBER ONE

Begin at the Northwest corner of the Northeast $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Township 23 North, Range 9 East, Bibb County, Alabama, thence Southerly along West boundary of said quarter section to the intersection of the South right-of-way of Bibb County Road 28, thence Southerly along the West boundary of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 22 to the Southwest corner of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 22, thence Easterly parallel to the North boundary of Section for a distance of 660 feet to a concrete monument the point of the beginning; thence North 78 degrees and 02 minutes East for a distance of 1,485 feet to iron pipe; thence continue North 78 degrees 02 minutes West for a distance of 1,007 feet to a point that is 500 feet Westerly of the center line of Alabama Highway 219 and the present City limits of Centreville, Alabama, thence Southerly and parallel to Alabama Highway 219 to the intersection of the South boundary of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 23, Township 23 North, Range 9 East; thence Easterly along the South boundary of the North $\frac{1}{2}$ of said $\frac{1}{4}$ Section to the center of said $\frac{1}{4}$ Section which is the West boundary of the present city limits; thence South along the present boundary of Centreville City limits for a distance of 3,077 feet to the intersection of the South boundary of Section 23, Township 23 North, Range 9 East; thence West along the South boundary of Section 23 to the SE corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 23; thence South along the West Boundary of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 26, Township 23 North, Range 9 East of the present Centreville City Limits line for a distance of approximately 1800 feet to the intersection of Ashworth property; thence North 77 degrees 17 minutes West to a concrete post on the West Boundary of Section 26 and East Boundary of Section 27; thence North along Section line to the NW Corner of Section 26; thence westerly along the South Boundary of Section 22 for a distance of approximately 1,980 feet to an iron pipe and the City Limits of Brent, Alabama; thence North to the intersection of the North Boundary of the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, Township 23 North, Range 9 East; thence Easterly along the North Boundary of the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22 to a point 660 feet West of the East Boundary of Section 22; thence North parallel to the East Boundary of Section 22 to the center of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 22, Township 23 North, Range 9 East and the point of beginning; all in Bibb County, Alabama.

PARCEL NUMBER TWO

The SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 11, Township 23 North, Range 9 East, the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ less 5,739 acres in the NE Corner sold to Hathcock and all that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying West of Alabama Highway No. 219 in Section 14, Township 23 North, Range 9 East; all in Bibb County, Alabama.

PARCEL NUMBER THREE

Begin at the Southwest Corner of Section 11, Township 23 North, Range 9 East, Bibb County, Alabama, thence East to the Southeast Corner of the Southwest quarter of the Southwest quarter Section 11,

thence North to the Northeast Corner of the Southwest quarter of Northwest quarter, Section 11, Township 23 North, Range 9 East, thence West along the Northern boundary of the Southwest quarter of the Northwest quarter to the Northwest Corner, thence South along section line to the Northeast Corner of the Northeast quarter of the Southeast quarter, Section 10, thence West to the Northwest Corner of the Northwest quarter of the Southeast quarter or the center of Section 10, thence South to the Northeast Corner of the Southeast quarter of the Southwest quarter of Section 10, thence West along the Northern Boundary of the Southeast quarter of Southwest quarter to the Northwest Corner, thence South along the Western Boundary of said quarter section to the Southwest Corner of the Southeast quarter of Southwest quarter of Section 10, thence East along Northern Boundary of Section 15 to the Northwest Corner of the Northwest quarter of Northeast quarter of Section 15, thence South to the Southwest Corner of the Northwest quarter of the Northeast quarter of Section 15, thence East to the Southeast Corner of the Northwest quarter of the Northeast quarter Section 15, thence South to a point that is 557.3 feet North of the Southwest corner of the Southeast quarter of Southeast quarter of Section 15, said point is also 750 feet Northerly from Bibb County Road No. 28, thence Southeasterly along a curve to the right having a radius of 2,660.08 feet to a point that is 750 feet Northerly of PT Station 61+80.1 back equal to 62+75.6 ahead, thence South 66 degrees 55 minutes East parallel to the center line of Bibb County Road No. 28 for a distance of 1,174.6 feet to a point that is 750 feet perpendicular of and Northerly of PC Station 74 + 50.2, thence Southeasterly along a curve to the left having a radius of 1,160.08 feet for a distance of 364.4 feet to a point that is 750 feet northerly of PT Station 80+50.2, thence South 84 degrees 55 minutes East parallel to the center line of Bibb County Road No. 28 for a distance of 700.4 feet to a point that is 750 feet Northerly of and perpendicular to Bibb County Road No. 28, also PC Station 87 + 50.6, thence Southeasterly parallel to Bibb County Road No. 28 and along a curve to the right having a radius of 2,182.69 feet to a point that is 500 feet Westerly of the centerline of Alabama Highway No. 219 and the intersection of the present City Limits, thence Northerly along the present City Limit Line and parallel to Alabama Highway No. 219 to the intersection of the Southern Boundary of the Northeast quarter of the Southwest quarter of Section 14, Township 23 North, Range 9 East, said intersection point is 500 feet Westerly of the Center line of Alabama Highway No. 219, thence Westerly along the South Boundary of the Northeast quarter of the Southwest quarter of Section 14 and the Southern Boundary of the Northwest quarter of the Southwest quarter of Section 14 to a point that is 660 feet West of the Southeast Corner of the Northwest quarter of the Southwest quarter of Section 14, thence Northerly and parallel to the section line to the intersection of the Southern Boundary of the Southwest quarter of Northwest quarter of Section 14, thence Easterly to the Southeast Corner of the Southwest quarter of the Northwest quarter of Section 14, thence Northerly to the Northeast Corner of the Southwest quarter of the Northwest quarter, thence Westerly along the Northern Boundary of said quarter section to the intersection of section line, thence Northerly along section line to the Northwest quarter of the Section 14, and the Southwest Corner of Section 11, the point of beginning, all in Bibb County, Alabama.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. OAKLEY, JR., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-5, 7-12, 7-19, and 7-26, all in the year 1973.

J. W. OAKLEY, JR.

Sworn to and subscribed before me July 30, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

Be It Enacted by the Legislature of Alabama:

Section 1. The jury commission of Bibb County is hereby authorized to meet an additional 15 work days per year, if such commission deems it necessary for the performance of its duties. Said 15 days shall be in addition to all work day limits heretofore prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1712. Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Be It Enacted by the Legislature of Alabama:

Section 1. No claim presented to the Bibb County Commission under Code of Alabama 1940, Title 12, Section 110 or Title 12, Section 111, need be sworn to and no testimony need be presented as to whether any part of such claim has been previously paid as is required by Code of Alabama 1940, Title 12, Section 115, however, all such claims must be accurately and fully itemized.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Brent in Bibb County, Alabama are hereby altered, rearranged and extended so to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to wit:

Begin at the Northwest corner of the Northeast quarter of the Northeast quarter of Section 22, Township 23 North, Range 9 East, Bibb County, Alabama; thence Southerly along the West boundary of said quarter-quarter section to the intersection of the South right-of-way line of Bibb County Road No. 28, the point of beginning; thence go in a Southerly direction along the West boundary of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 22 to the Southwest corner of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22; thence Easterly parallel to North boundary of said

Section for a distance of 660 feet to a concrete monument; thence North 78 degrees and 02 minutes East for a distance of 1,485 feet to iron pipe; thence continue North 78 degrees 02 minutes West for a distance of 1,007 feet to a point that is 500 feet Westerly of the centerline of Alabama Highway No. 219; thence run Northerly and parallel to the centerline of Alabama Highway No. 219 to a point on the South right-of-way of Bibb County Road No. 28, said point being 500 feet Westerly of said Highway; thence run North 64 degrees 43 minutes West along South boundary of Bibb County Road No. 28 for a distance of 105 feet to a concrete right-of-way marker stamped PT 92+55.6; thence North 69 degrees 09 minutes West for a distance of 211.8 feet to a point on South right-of-way of said Bibb County Road No. 28; thence South 70 degrees 51 minutes West for a distance of 257.2 feet; thence South 25 degrees 20 minutes West for a distance of 186.9 feet; thence South 50 degrees 57 minutes West for a distance of 156.2 feet; thence South 77 degrees 11 minutes West for a distance of 212.3 feet; thence South 0 degrees 55 minutes West for a distance of 627 feet; thence run South 78 degrees 02 minutes West for a distance of 1,485 feet; thence run Northerly parallel to East Section line to intersection of South right-of-way of Bibb County Road No. 28; thence run Westerly along the South right-of-way of Bibb County Road No. 28 to the point of beginning.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1714. To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge, the circuit clerk, the tax assessor, and the tax collector of Bibb County shall receive, in equal monthly installments from the general fund of the county, the following annual salaries:

(A) judge of probate	\$16,500.00
(b) tax assessor	\$11,500.00
(c) tax collector	\$11,500.00
(d) circuit clerk when also serving duties as register	\$11,500.00
(however, when not serving as register he shall receive a salary of only \$9,100.00)	

Said salaries shall be the entire compensation received by any of the above county officers for his services in any official and any ex officio capacity and shall be in lieu of all fees, commissions, allowances, percentages and other charges heretofore paid to any officer, except as provided herein.

Section 2. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of said officers, shall hereafter be collected and paid into the general fund of the county, except as provided hereinafter.

Section 3. The governing body of Bibb County shall provide each of the above officers with such office personnel, clerks, deputies, and such quarters, books, stationery, furniture, equipment and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Except as hereinafter provided, compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 4. The tax collector shall be entitled to receive commissions on taxes in accordance with the provisions of Title 51, Section 191, Code of Alabama Recompiled 1958, on all taxes collected by him through December 31, 1973. He shall also be entitled to an allowance of \$600.00 per year for clerk hire, which shall be in addition to any allowance now payable, and said allowance or such portion thereof, as is needed, shall be payable directly to such clerk or clerks as may be hired pursuant to this section.

Section 5. The tax assessor shall be entitled to receive from the tax collector $\frac{1}{4}$ (25 percent) of commissions as provided for in Title 51, Section 30, Code of Alabama Recompiled 1958, for 1974 assessments, on all regular assessments; including real estate and personal property for corporations and public utilities. The above commissions to be based on net taxes collected. (Insolvents, Errors; Litigations and Homesteads or other taxes which the Collector has been unable to collect are not subject to commissions). Commissions on motor vehicle assessments shall be paid to the assessor through December 31, 1973. The tax assessor shall also receive an allowance of \$1200.00 per year for clerk hire, which shall be in addition to any now payable and said allowance or such portion thereof, as is needed, shall be payable directly to such clerk or clerks as may be hired pursuant to this section.

Section 6. The probate judge shall be entitled to two clerks, whose salaries shall be paid from the general fund of the county. One such clerk shall receive a monthly salary not to exceed \$600.00 per month and payable directly to said clerk; and the other clerk shall receive a monthly salary not to exceed \$400.00 per month payable directly to said clerk.

Section 7. The circuit clerk shall receive an annual clerk hire allowance of \$400.00 per month, payable from the general fund of the county directly to such clerk or clerks as may be hired by the circuit clerk of Bibb County.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective on the first day of the first month beginning after the ratification of an amendment to the Constitution authorizing a law regulating the compensation of certain officials of Bibb County, provided that a majority of qualified electors of Bibb County voting at the Constitutional Amendment election voted in favor of such amendment.

If a majority of the qualified electors of said county voting at said election voted against such amendment, then this Act shall have no force or effect.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-5, 7-12, 7-19, and 7-26, all in the year 1973.

J. W. OAKLEY, JR.

Sworn to and subscribed before me July 30, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Mr. Owens:

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), is hereby amended to read as follows:

"Section 1. The members of the county board of education of Bibb County shall each be entitled to expenses in the amount of \$17.50 per month. Such allowance shall be in addition to all other allowances provided by law and shall be payable from the public school funds of the county at the end of each month."

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-28, 7-5, 7-12, and 7-19, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me July 20, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1734. Relating to Houston County, providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge, requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County, providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge, requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate shall perform all duties relative to the assessment and collection of taxes on motor vehicles in Houston County, which tax assessor and tax collector are required under the general law to perform. The tax assessor and tax collector shall be relieved of all duties and responsibilities relative to the assessment and collection of taxes on such motor vehicles, and the judge of probate in Houston County shall have all duties and responsibilities relative to the assessment or collection of taxes and issuance of motor vehicle licenses. For the purposes of this act the term motor vehicle shall mean the same as defined in Code of Alabama 1940, Title 51, Chapter 20, Article 8, as amended.

Section 2. Before entering upon the additional duties imposed by this act, the judge of probate shall execute an additional bond in such penal sum as may be prescribed by the governing body of the county, giving as surety thereon a bonding company authorized to do business in this state. The bond shall be conditioned as other official bonds, shall be approved by the governing body of the county, and shall be filed and recorded in the office of the clerk of the circuit court of the county. A certified copy of such bond shall be furnished by the probate judge to the State comptroller. Premiums on such bond of the probate judge shall be paid from the general fund of the county.

Section 3. The county governing body shall furnish suitable quarters or such additional space if any be necessary for the efficient per-

formance of the additional duties of the probate judge, and shall provide for the transfer of all necessary forms, books, records, stationery, supplies, and equipment from the respective offices of the tax assessor and tax collector to the office of the judge of probate as shall be pertinent to the transference of the duties and shall thereafter provide the same, except such stationery, forms and supplies as are furnished pursuant to law by the state department of finance or the state comptroller and the state department of revenue. The county governing body shall also provide such clerks, deputies and other assistants for the judge of probate as are necessary for the proper and efficient performance of the duties of his office. The judge of probate shall have authority to select, employ and discharge at will such clerks, deputies and other assistants and to fix their compensation; but the number and compensation of such deputies and other assistants shall be subject to the approval of the county governing body; such compensation shall be paid out of the general fund of the county in the same manner as other county employees are paid.

Section 4. The judge of probate shall charge and collect the same fee that is prescribed in the general law for a like service when performed by the tax assessor or the tax collector as the case may be. All such fees shall be the property of the county and shall be paid into general fund of the county.

Section 5. To prevent motor vehicles from escaping taxation, and to provide for the more efficient assessment and collection of taxes due on same, no license shall be issued to operate a motor vehicle on the public highways of this State, nor shall any transfer be made by the judge of probate as provided under this act until the ad valorem tax on such vehicle shall have been paid in the county for the preceding year as evidenced by receipt of the judge of probate, if the motor vehicle belongs to a resident of the county or is principally used or operated in the county.

Section 6. A. Every person, firm or corporation residing in or owning a motor vehicle which is principally used in the county and who desires to operate a motor vehicle on the public highways of Alabama shall first return such motor vehicle for ad valorem taxation to the judge of probate; and the judge of probate shall issue a certificate of assessment on a form prescribed by the state department of revenue, shall collect the tax as shown thereon, and shall make a duplicate of the tax receipt and keep same on file in his office. The license tag shall be evidence of the payment of the license and ad valorem tax due as provided under this act.

B. Valuation for ad valorem assessment of motor vehicle shall be at the same rate and on the same basis as is provided in Code of Alabama 1940, Title 51, Chapter 20, Article 8, as heretofore or hereafter amended, and all provisions of law with respect to the assessment on a quarterly basis are hereby incorporated in this act and made a part hereof.

C. The judge of probate in addition to assessing and collecting the ad valorem taxes due the state and county on motor vehicles, he shall collect the ad valorem taxes on motor vehicles due all cities in the county and he shall report and pay over the money collected for the cities at the same time and in the same manner as state and county taxes and licenses are reported and paid over by him. The judge of probate shall receive a commission of five per cent of the amount of city taxes collected for assessing and collecting such taxes and he shall deduct said commission from the amount collected before paying the city treasury. The judge of probate shall not issue a license to operate a motor vehicle on the highways of this state until all ad valorem taxes

due the said state, county and cities are paid for the preceding tax year as shown by his tax receipts.

Section 7. The said comptroller, the state department of revenue and the state department of finance are hereby required to furnish the judge of probate all books, records and blanks now or hereafter required by law to be furnished to probate judge, tax assessor and tax collector in connection with the performance of their duties in the issuance of automobile license plates and the assessment and collection of the ad valorem tax on motor vehicles.

Section 8. The judge of probate shall receive for the assessing and collecting of state and county ad valorem taxes on motor vehicles the same fees charged and commissions fixed by law to be paid to tax assessor and tax collector for like services. All such fees and commissions, including those charged for ad valorem taxes on motor vehicles due all cities in the county, shall be paid into the general fund of the county.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This act shall supersede Act No. 1857, H. 2653, page 3013 Regular session of the Legislature of Alabama 1971.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 4-20, 27; 5-4, 11, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 24th day of May, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue of Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation

of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county”.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

To amend Section 6 of Act No. 938, H. 1359, Regular session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: “An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county.”

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 6 of Act No. 938, H. 1359, page 1674, Regular session of the Legislature of Alabama 1969, approved September 12, 1969, entitled as aforesaid, be and the same is hereby amended to read as follows:

“Section 6. As compensation for the performance of his duties the chairman of the board of commissioners shall receive a salary of Fifteen Thousand Dollars (\$15,000) per annum, and the commissioners shall each receive a salary of Forty Five Hundred Dollars (\$4,500) per annum. Such salaries shall be paid in equal monthly or semi-monthly installments as the salaries of other county officers and employees are paid, and shall be paid out of such fund or funds in the county treasury as specified by such board of commissioners. In addition to such salaries each commissioner shall also be entitled to receive from the county treasury an expense allowance of One Hundred Fifty Dollars (\$150) per month. The Chairman shall not receive an expense account.

Section 2. This act shall become effective upon the expiration of the term of the incumbent chairman and commissioners of said county.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 6-27; 7-4, 6, 11, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs Connell and Crawford:

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of Probate of Houston County, Alabama, may, after the effective date of this act, employ the following clerks and assistants at the following rates of compensations, Viz; not less than one (1) chief clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than Four (4) clerks whose classification shall be Clerk I, and each shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than two (2) clerks whose classification shall be Clerk II, and each shall receive not less than Five Thousand Four Hundred Dollars (\$5,400) per annum; not less than three (3) clerks whose classification shall be Clerk III, and each shall receive not less than Five Thousand One Hundred Dollars (\$5,100) per annum; not less than Thirty Six Hundred Dollars (\$3,600) per annum as a contingent fund to compensate and appoint extra clerks and assistants as he deems necessary to perform the duties of the office of Judge of Probate.

Effective April 1, 1974, the following clerks and the contingent fund of this section shall be transferred to the commissioner of licenses of said county and shall continue with the same rate of compensation as set out in this Act; the clerks are, two (2) clerks with the classification of Clerk I, one (1) clerk with the classification of Clerk II and Three (3) clerks with the classification of Clerk III.

Section 2. The Governing body of Houston County, Alabama, may, after the effective date of this Act employ the following clerks and maintenance Engineer for the accounting department of the county at the following rates of compensations, Viz; not less than one (1) chief clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than one (1) maintenance Engineer who shall receive not less than Seventy Eight Hundred Dollars (\$7,800) per annum; not less than two (2) clerks whose classification shall be Clerk I, and each shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than Three (3) clerks whose classification shall be Clerk II, and each shall receive not less than Five Thousand Four Hundred (\$5,400) per annum; not less than One (1) clerk whose classification shall be Clerk III, and who shall receive not less than Five Thousand One Hundred Dollars (\$5,100) per annum.

The Governing body shall assign one (1) of the above said clerks to be Secretary to the chairman and clerk to the commission, one (1) clerk to the civil Defense Director of said county and one (1) clerk for the Typhus Control program of said county.

Section 3. The County revenue commissioner of Houston County, Alabama, may, after the effective date of this Act, employ the following clerks and assistants at the following rates of compensations, Viz; not less than one (1) Chief Clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than two (2) Clerks whose classification shall be Clerk I, and each shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than two (2) clerks whose classification shall be Clerk II, and each shall receive not less than Fifty Four Hundred Dollars (\$5,400) per annum; not less than two (2) clerks whose classification shall be Clerk III, and each shall receive not less than Fifty One Hundred Dollars (\$5,100) per annum; not less than Twenty Four Hundred Dollars (\$2,400) per annum, as a contingent fund to compensate and appoint extra clerks and assistants as he deems necessary to perform the duties of the office of county revenue commissioner.

Section 4. The Clerk of the Circuit Court of Houston County, Alabama, may, after the effective date of this Act, employ the following clerks at the following rates of compensations, Viz; not less than one (1) Chief Clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than one (1) clerk whose classification shall be Clerk I, and shall receive not less than fifty Seven Hundred Dollars (\$5,700) per annum; not less than one (1) clerk whose Classification shall be Clerk II, and shall receive not less than Five Thousand Four Hundred Dollars (\$5,400) per annum; not less than two (2) clerks whose classification shall be Clerk III, and each shall receive not less than Fifty One Hundred Dollars (\$5,100) per annum.

Section 5. The Register of the Circuit Court of Houston County, Alabama, may, after the effective date of this act, employ the following clerks and assistants at the following rates of compensations, Viz; not less than one (1) Chief Clerk who shall receive not less than Six Thousand Three Hundred Dollars (\$6,300) per annum; not less than one (1) clerk whose classification shall be Clerk I, and shall receive not less than Fifty Seven Hundred Dollars (\$5,700) per annum; not less than one (1) clerk whose classification shall be Clerk II and shall receive not less than Five Thousand Four Hundred Dollars (\$5,400) per annum.

Section 6. Each of the Chief Clerks and the clerks with classification of Clerk I, II, III and maintenance engineer of this act, having been employed continually with Houston County for the last Ten years up to the date of this act is approved by the Governor and having not received an increase in salary of more than ten per cent of the basic salary of this act since April 1, 1973, each shall be entitled to an increase of not less than nor more than ten per cent of the basic salary as set out in this Act, the above said increases in salary shall become effective October 1, 1973. Effective October 1, 1974, each chief clerk, maintenance engineer and each clerk with the classification of clerk I, II and III of this act shall be entitled to an increase in salary of not less than five per cent of their total salary; Effective October 1, 1975, each chief clerk, maintenance engineer and each clerk with the classification of Clerk I, II and III of this act shall be entitled to an increase in salary of not less than five per cent of their total salary and thereafter each chief clerk, maintenance engineer and each clerk with the classification of clerk I, II and III shall be entitled to additional increases after each additional three year period of employment in

amounts equal to and not less than five per cent of the basic salary, such increases shall be subject to the approval of each elected official affected by this act.

Section 7. The Clerks, Maintenance Engineer and assistants provided for in this act shall serve at the pleasure of the appointing officers. Their salaries shall be paid in equal monthly installments from the general fund of Houston County upon separate warrants drawn in the manner provided for the payment of other employees of the county.

Section 8. Nothing herein contained shall be construed as depriving the board of county commissioners or like governing body of Houston County of authority to provide additional clerks-and assistants as the officers herein named may require for the efficient conduct of their offices and their classification and compensation shall be fixed by the said county commissioners or like governing body of Houston County, the additional clerks and assistants shall come under the provisions of this act.

Section 9. The provisions of this act are severable, if any part is declared invalid or unconstitutional such declaration shall not affect the part which remain.

Section 10. This Act shall supersede (Act No. 11, S. 88 page 35, Regular Session 1957) (Act No 200, S. 168 page 598, Regular Session 1963) (Act No 444 H. 338, page 1116, Regular Session 1967). All other laws or parts of laws which conflict with this act are repealed.

Section 11. This Act shall become effective October 1, 1973.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 6-27; 7-4, 6, 11, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,

Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide compensation for the Court bailiff of Houston County Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commission of Houston County, Alabama is hereby authorized to provide for compensation for the Court Bailiff of said county in an amount not to exceed \$15 for each day said bailiff serve in his official capacity.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 6-27; 7-4, 6, 11, 1973, in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Houston County, Alabama, each shall be entitled to an annual salary as follows:

(a) For Clerk Circuit Court, an annual salary of Eight Thousand Dollars (\$8,000).

(b) For Register of the Circuit Court, an annual salary of Seven Thousand Dollars (\$7,000).

Section 2. The salaries for the County officers as provided in this Act, shall be paid in equal monthly installments upon warrants, and out of any funds of Houston County available for such purposes, all of which shall be in addition to any other compensation prescribed by law for the above county officers.

Section 3. This Act shall supersede (Act No. 1111, page 1940, Regular Session of the Legislature of Alabama 1971) (Act No. 1128, page 1955, Regular Session of the Legislature of Alabama 1971).

Section 4. This Act shall take effect on the expiration of the current term of office of each of the officers affected thereby.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 6-26; 7-3, 10, 17, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 26th day of July, 1973.

EUGENE S. McCLINTIC,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1733, 1716, 1717, 1718, 1719, 1720, 1728, 1729, 1731, 1732, 1710, 1711, 1712, 1713, 1714, 1715, 1734, 1735, 1736, 1737 and 1738. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Collins:

H. 1449. Relating to Mobile County; providing for landowners with no access road to acquire a right of way of forty feet.

Also:

By Messrs. Callahan, Nettles and Therrell:

H. 1741. Amending the title and Section 1 of Act No. 57, H. 438, Regular Session 1971 (Acts 1971, p. 310) relating to the Board of Health of Mobile County, so as to provide for approval of the county governing body of fees established by the Board of Health.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Amending the title and Section 1 of Act No. 57, H. 438, Regular Session 1971 (Acts 1971, p. 310) relating to the Board of Health of Mobile County, so as to provide for approval of the county governing body of fees established by the Board of Health.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 57, H. 438, Regular Session 1971 (Acts 1971, p. 310) is hereby amended to read as follows:

"Relating to Mobile County; authorizing the Board of Health of said county, with approval of the county governing body, to fix a schedule of fees for services rendered pursuant to the duties with which the Board is charged."

Section 2. Section 1 of the above stated act is hereby amended to read as follows:

"Section 1. The Board of Health of Mobile County, with the approval of the county governing body, is hereby authorized to charge and collect any fee it deems necessary and proper for any service rendered by its officers, employees or agents in the performance of duties, functions, and programs required by law or by regulation of the county or state board of health. The Board of Health of Mobile County may fix a schedule of such fees which shall cover the amount of expense involved in performing each service, and may change such schedule as it deems proper. The provisions of this act shall not apply to fees charged for services rendered in connection with vital statistics."

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me July 30, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Stokes:

H. 441. To abolish the Inferior Civil Court of Mobile County; to provide for the transfer of cases and causes therein pending to the Court of General Sessions of Mobile County; to repeal conflicting laws and specifically to repeal Act No. 312, H. 766, approved April 13, 1911 (Local Acts 1911, p. 274), and all amendments thereto.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To abolish the Inferior Civil Court of Mobile County; to provide for the transfer of cases and causes therein pending to the Court of General Sessions of Mobile County; to repeal conflicting laws and specifically to repeal Act No. 312, H. 766, approved April 13, 1911 (Local Acts 1911, p. 274), and all amendments thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. The Inferior Civil Court of Mobile County created by Act No. 312, H. 66, approved April 13, 1911 (Local Acts 1911, p. 274), is hereby abolished.

Section 2. All causes and cases pending in the Inferior Civil Court of Mobile County, together with the records, documents and papers pertaining thereto, shall be immediately transferred upon this act becoming law to the Court of General Sessions of Mobile County. The Court of General Sessions of Mobile County shall immediately assume complete jurisdiction over all of such pending cases, and shall have the same power and control over the same as if they had been originally filed in the Court of General Sessions of Mobile County, and the clerk of this court shall enter on the appropriate dockets of this Court all cases now pending in the Inferior Civil Court of Mobile County. All judgments heretofore rendered by the Inferior Civil Court

of Mobile County shall be the same and shall have the same force and effect as if they had been rendered by the Court of General Sessions of Mobile County and said Court of General Sessions of Mobile County shall have the same power and control over such judgments and shall issue executions and all other appropriate processes thereon in all respects as if the judgment and decree had heretofore been rendered by said Court of General Sessions of Mobile County.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws and parts of laws in conflict with this act are hereby repealed and Act No. 312, H. 766, approved April 13, 1911 (Local Acts 1911, p. 274), and all amendments thereto, are specifically repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me May 10, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Messrs. Drake, Smith (P), St. John and McDonald:

H. 1356. To further amend Sections 2 and 8 of Act # 46 Second Special Session 1955 so as to conform to the Federal Egg Products Inspection Act, and to further insure the highest quality eggs for the consumers.

Also:

By Messrs. Grainger, King, Hale, Hearn and Lutz:

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Huntsville in Madison County, Alabama, be and hereby are altered or rearranged so as to include within the corporate limits and within the boundaries of said municipality all territory now within the corporate limits and within the boundaries of said municipality, and also certain other territory in Madison County, Alabama, described as follows, to-wit:

All that part of the Southwest Quarter of Section 30, Township 4 South, Range 1 East, Madison County, Alabama, particularly described as beginning at a point on the West margin of Whitesburg Drive; said point being located due West 50.0 feet from the center of the South boundary of Section 30, Township 4 South, Range 1 East; thence from the place of true beginning due West along the South boundary of Section 30, Township 4 South, Range 1 East 252.9 feet to a point on the East margin of the right-of-way of the Louisville & Nashville Railway; thence North 15 degrees 20 minutes West along the East margin of the Louisville and Nashville Railway right-of-way 50.0 feet measured at right angles from the centerline of same a distance of 451.7 feet; thence North 49 degrees 30 minutes East 507.1 feet to a point on the West margin of Whitesburg Drive; thence South 0 degrees 15 minutes East along the West margin of said Whitesburg Drive 757.5 feet to the place of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on May 8, 15, 22, and 29, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 29th day of May, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that at the 1973 regular session of the Legislature of Alabama, a bill, substantially as follows, will be introduced and application for its passage and enactment will be made.

A BILL
TO BE ENTITLED
AN ACT

Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who has been committed to the County Jail or to any City Jail in Madison County under a criminal sentence may be released therefrom at the discretion of the sentencing court, either on its own motion or upon the motion of the defendant, at the time of sentence or at any time during the term of sentence, for the purpose of obtaining and working at gainful employment or for such other purpose as the court may deem conducive to his rehabilitation, for such time or intervals of time and under such terms and conditions as the court may order. Any part of a day spent outside of jail under such a release order shall be counted as a full day toward the serving of the sentence unless otherwise provided by the court. If a person violates the terms and conditions laid down for his conduct, custody and employment, he shall be returned to the sentencing court. The court may then require that the balance of the person's sentence be spent in actual confinement and may cancel any earned reduction of his term.

Section 2. Any person who has been sentenced to the Madison County jail or any cities' jail within Madison County, and who has been ordered released under the provisions of Section 1 hereof, may at the time of sentence or at any time while any part thereof remains unserved, be required by the sentencing court to report to the jail to which he has been sentenced to be incarcerated during week-ends or at such times or intervals of time as the court may direct. Time so spent in said jail shall be deducted from the term of the sentence. Any part of a day spent in the institution shall count as a full day toward the sentence. In no event shall the number of days confinement exceed the number of days in the original sentence.

Section 3. Any person released under Section 1 of this Act, or ordered confined under Section 2, who wilfully fails to report for confinement as ordered shall be deemed to have escaped from the institution to which he has been sentenced and upon conviction shall be subject to the punishment provided for escape therefrom.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me July 23, 1973.

HARTWELL B. LUTZ,
Notary Public.

Also:

By Messrs. Mims, Falkenburg, Connell, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich, McMillan, Burgess and Timmons:

H. 711. Further regulating deductions from penitentiary and hard labor sentences for good behavior; Amending Section 1 of Act No. 534, S. B. 353, Regular Session 1943, (Acts 1943, p. 508), and repealing Act No. 481, H. B. 552, Regular Session 1953, (Acts 1953, p. 600).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1449, 1741, 441, 1656 and 1685. To the Committee on Local Legislation No. 1.

H. B. 1356. To the Committee on Agriculture.

H. B. 711. To the Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark:

S. 786. To amend Sections 1, 2, 5, 7, 13 and 16 of Act No. 168, H. 270, Special Session 1966, (Acts 1966, p. 190), as amended, which act establishes the Alabama Historical Commission, so as to change the name of said commission to the Alabama Heritage Commission; to allow said commission to acquire certain real and personal property; to allow said commission to expand its duties by employing a state officer of archaeology; to allow said commission to take the assistant to the director of said commission from the state merit system; to allow the Governor, Lieutenant Governor and the Speaker of the House of Representatives to select persons to serve in their position on said commission and to increase the number of organizations which are qualified to name members to the Board of Advisors of said commission.

Mr Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Register:

S. 30. To provide for participation by the State of Alabama in the Interstate Library Compact.

By Mr. Melton:

S. 572. To provide that an action for breach of implied or specific warranty shall be sufficient to sustain a claim for wrongful death and to provide that the court may assess both compensatory and punitive damages.

By Mr. O'Bannon:

S. 622. To further identify creditable years of service under the State Employees' Retirement System.

By Messrs. Melton and O'Bannon:

S. 753. To further amend Section 123, Title 7, Code of Alabama 1940, as amended, which section relates to actions for wrongful death, so as to further regulate the actions for wrongful death which may be brought by the personal representative of the decedent.

By Messrs. Melton and O'Bannon:

S. 754. To further amend Section 119, Title 7, Code of Alabama 1940, as amended, which section relates to suits at law for injuries causing death of a minor child, so as to further regulate said suits.

By Messrs. Melton and O'Bannon:

S. 755. To amend the title and Section 1 of Act No. 113, H. B. 88, 1st Special Session 1956, (Acts 1956, p. 171), which act authorizes suits at law by a personal representative of a decedent for the recovery of damages for injuries to the decedent's property resulting from the same tort which caused decedent's death, so as to allow recovery for damages caused by a breach of contract, including the sale or delivery of defective goods.

By Mr. McLain:

S. 767. To amend Section 3 of Act No. 476, H. B. 627, Regular Session 1955 (Acts 1955, p. 1084), as amended, which section relates to the compensation of the deputy district attorney of the Twenty-third Judi-

cial Circuit, so as to further regulate the compensation of said deputy district attorney.

By Messrs. Lyons and Owens:

H. 205. Relating to taxation: exempting the Episcopal Foundation of Jefferson County and the Alabama Heart Association and their property from state, county and municipal taxes, licenses, fees and excises, under certain prescribed conditions.

By Mr. Boles:

H. 206. To amend Section 333 of Title 52 of the Code of Alabama, Recompiled 1958 and 1969, which provides for the charging of a fee for the issuance of teacher certificates and sets the amount of the fee and for the repeal of Section 350 of Title 52, Code of Alabama, Recompiled 1958 and 1969, providing for the disposition of fees paid by the applicants for teachers certificates.

By Mr. Waggoner, et al:

H. 292. To prohibit a limit on the number of times that a person, otherwise qualified, may take the Alabama Bar Examination.

By Messrs. Hill and Flipppo:

H. 759. To further amend Title 3, Section 11, Code of Alabama 1940, as amended, pertaining to cruelty to animals and providing punishment for violation of this act.

By Mr. Hale, et al:

H. 184. To provide that the courts of this state shall have jurisdiction over any non-resident corporation, which conducts business in the state without qualifying to do business therein, for the prosecution of any claim whether or not that claim arises out of the business conducted within the state.

By Mr. Hale, et al:

H. 185. To provide that the courts of this state shall have jurisdiction over any non-domiciliary who commits a tortious act causing injury within the state or owns, uses, or possesses real property within the state where any claim arises from the doing of any such act.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Owen:

S. 768. To amend Sections 8, 10, 14, 18, 20, 21, 22, and 24 of Act No. 576, Acts of Alabama 1959, page 1442, volume 2, as amended, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation and Natural Resources Department of this State; the enforcement of this act, duties of the commissioner of the State Department of Conservation and Natural Resources; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety

equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation and Natural Resources Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Commissioner of Conservation and Natural Resources with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation and Natural Resources for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation and Natural Resources; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen (With Amendment):

S. 776. To amend Sections 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to provide for a State Parks Concession Commission; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (K):

H. 1161. To amend Title 8, Section 91, Code of Alabama 1940, as amended, pertaining to licenses required to capture and kill fur-bearing animals, so as to eliminate the exemption from the license-purchase requirements previously granted anyone trapping beaver only; to reduce the residency period from six months to ninety days; and to provide an exemption where beavers are a nuisance.

By Mr. Smith (K):

H. 1163. To amend Act No. 1980, Acts of Alabama, 1971 Regular Session, p. 3222, pertaining to annual resident fishing licenses so as to remove the sentence referring to borrowing, lending or altering said licenses.

By Mr. Smith (K):

H. 1164. To amend Act No. 2309, Acts of Alabama, 1971 Regular Session, p. 3731, pertaining to hunting deer from public waters in this

state, or at night, so as to provide for the confiscation and forfeiture of all equipment used in committing said offenses.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jones and Pierce:

S. 420. To amend Section 115 of Title 12 of the Code of Alabama, 1940, and remove therefrom the requirement that claims against the county must be sworn to by the Claimant.

By Mr. O'Bannon:

S. 579. To authorize the governing bodies of the several counties of the State to pay all expenses incurred by the Tax Assessors, Tax Collectors or other like official by membership in their State organization.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cottingham, et al (With Amendment):

H. 977. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

By Mr. Grainger, et al (With Amendment):

H. 1216. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

By Mr. Grainger, et al (With Amendment):

H. 1215. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

By Mr. Grainger, et al (With Amendment):

H. 1214. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

By Mr. Grainger, et al (With Amendment):

H. 1213. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

By Mr. Grainger, et al (With Amendment):

H. 1212. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

By Mr. Grainger, et al (With Amendment):

H. 1211. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gilmore:

S. 769. To provide for the establishment of an Alabama Crime Information Center; to provide for a statewide crime information system; to provide for the reporting of all arrests and further disposition of persons charged with felonies and certain misdemeanors and viola-

tions; to provide for the submission of uniform crime information; to establish an Advisory Council for the Alabama Crime Information Center; to provide for all matters pertaining to the foregoing.

By Mr. Clark:

S. 488. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$2,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

By Mr. Clark:

S. 487. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$2,000,000 in aggregate principal amount.

By Messrs. Foshee, Littleton, Wilder, Owen, Carr, Melton:

S. 383. To create within the State Department of Education a division to be known as the Junior College Division; to divert the responsibility for the coordination, management, and control of public junior colleges now vested in the higher education branch of the division of vocational education to a separate division for junior colleges; to establish a position of Junior College Division Director; and to set standards of qualifications for persons to be considered for the position of Director.

By Mr. Foshee:

S. 34. To provide for the authorization of the Alabama Department of Industrial Relations to promulgate and enforce reasonable rules and regulations relating to employer-employee safety, sanitation

and adequate shelter as affecting the welfare and health of railroad employees in places of employment.

By Mr. Dozier.

S. 33. To provide per diem allowance for state troopers.

By Mr. Foshee.

S. 24. To propose an amendment to the Constitution of Alabama, to prescribe the conditions under which a county or municipal governing body may levy any tax or license fee which is in any way based on income.

The above bill was read a second time at length as required by the Constitution.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Falkenburg (With Amendment):

H. 146. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

By Mr. Falkenburg (With Amendment):

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Waggoner, et al:

H. 287. To fix and prescribe the salary of the tax collector in each county having a population of 600,000 or more according to the last or any subsequent federal census.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Edreich, et al (With Amendment):

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a revocable temporary permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; to provide for the automatic termination of permits granted hereunder; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boles, et al (with notice and proof):

H. 636. To fix the compensation or salary of the assistant Tax Assessor or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

By Mr. Jones (E), et al (with notice and proof):

H. 638. To fix the compensation or salary of the assistant Tax Collector or deputy Tax Collector of any branch office of the Tax Collector in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Falkenburg, et al (With Amendment):

H. 649. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell, et al:

H. 689. In all counties having a population af 500,000 or more according to the last or any succeeding Federal Decennial Census. Each member of the jury board, Commission or like body shall be paid an additional sum of fifty dollars (\$50.00) per month, to be paid monthly out of the County Treasury.

By Mr. Timmons, et al:

H. 776. To fix the compensation or salary of the Assistant to the Sheriff of any branch office of the Sheriff in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof; and to change the designation of said office to "Assistant Sheriff".

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Falkenburg, et al (With Amendment) (with notice and proof):

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

By Mr. Falkenburg, et al (With Amendment) (with notice and proof):

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

By Mr. Gafford, et al (With Amendment):

H. 784. To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last or any subsequent federal census.

By Mr. Doss, et al (With Amendment):

H. 785. To amend Section 3.07 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

By Mr. Boles, et al (With Amendment) (with notice and proof):

H. 787. To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

By Mr. Doss, et al (With Amendments):

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ellis, et al:

H. 836. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six

hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

By Mr. Waggoner, et al (with notice and proof):

H. 858. To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Boutwell, et al (With Amendment)

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell, et al:

H. 873. To further amend Section 4.04 of Act No. 452, Regular Session 1955, as amended, providing a Mayor-Council form of government for all cities having a population of more than 300,000 inhabitants.

By Mr. Gafford, et al:

H. 893. To further amend Section 3 of Act No. 695, H. 1072, Regular Session 1951 (Acts 1951, p. 1198), as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

By Mr. Timmons, et al:

H. 900. To provide retirement allowances for elected officials and former elected officials and former employees who are or have been elected officials of all municipalities of the state having a population of 300,000 or more according to the last and subsequent federal census.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Timmons (With Amendment):

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more

according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Doss, et al (With Amendment):

H. 997. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

By Mr. Falkenburg, et al (With Amendment) (with notice and proof):

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

By Mr. Adwell, et al (With Amendment):

H. 1083. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. King:

S. 694. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction or otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dominick (With Amendment):

S. 752. Relating to judicial circuits with more than 15 judges, further providing for the appointment of court reporters.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lybrand, Pelham, Harris, Register, Melton, O'Bannon, Lindsey and Clark (With Substitute):

S. 639. A BILL TO BE KNOWN AS THE "DECEPTIVE TRADES PRACTICES AND CONSUMER PROTECTION LAW"; defining certain

words and phrases; creating an office of consumer protection and delegating authority to and prescribing responsibilities for that office; creating a consumer advisory board; authorizing the Office of Consumer Protection and the office of the Attorney General to receive federal funding; delegating authority to and prescribing responsibilities for the Attorney General; establishing and prohibiting unlawful trade practices; providing for the promulgation and interpretation of rules and regulations; providing for exemptions from this Act; authorizing the Attorney General to restrain prohibited acts and to seek other relief; providing for the powers of receivership; providing for private actions; providing for assurances of voluntary compliance; authorizing the Attorney General to investigate for prohibited acts; issue subpoenas and hold hearings; providing for service and enforcement of investigative demands; providing penalties; providing for duties of District, County, and City Attorneys; providing for the jurisdiction of the Act; establishing a statute of limitations.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 83. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business, upon reaching bills on third reading, for the Twenty-seventh Legislative Days only.

Page No.

S. B. 245	25	Boxing and Wrestling Commission
H. B. 691	1	Swine producers—promotion
S. B. 145	10	Teacher Tenure Law
S. B. 336	21	State Salary Commission
H. B. 803	97	Relating to Electric Cooperatives—quorum
H. B. 314	29	Automobile Title Law
H. B. 447	115	Inspection fee Petroleum products
H. B. 860	116	Amends forest products severance tax
S. B. 29	8	Compensation—Board of Registrars
S. B. 7	8	Challenging Jurors
S. B. 756	108	Exempt tobacco in Manuf. from ad valorem

Mr. Fine offered the following substitute for the Resolution, S. R. 83, to-wit:

SUBSTITUTE FOR S. R. 83

RESOLVED BY THE SENATE That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar, except the unfinished business, immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

1. H. B. 322, Page 105.
2. All local uncontested Bills.

On motion of Mr. Lybrand, said substitute was laid on the table.

Yeas 24; Nays 9.

Yeas:

Messrs.:	Branyon	Cook	Edington
Bailes	Clark	Dominick	Gilmore

Givhan	Lybrand	O'Bannon	Vacca	
Harris	McLain	Owen	Weaver	
Hawkins	Malone	Pierce	Wilder	
King	Noonan	Register	Wilson	
Lindsey				—24

Nays:

Messrs.:	Dozier	Horne	Melton	
Baker	Fine	Littleton	Shelby	
Carr	Foshee			—9

Mr. Fine then offered the following substitute for the Resolution, S. R. 83, to-wit:

SUBSTITUTE FOR S. R. 83

RESOLVED BY THE SENATE That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar, except the unfinished business, immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

1. H. B. 322, Page 105.
2. H. B. 691, Page 1.
3. All uncontested local Bills.

BILLS ON THIRD READING

The Bill:

H. 446. Relating to Marion County; to further regulate branch banking in such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Owen	
Bailes	Fine	Lybrand	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 455. Relating to Marion County: To provide for an additional expense allowance for each member of the Marion County Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Fine	Hawkins
Baker	Cook	Gilmore	Horne
Branyon	Dominick	Givhan	King
Carr	Dozier	Harris	Lindsey

Lybrand	Noonan	Shelby	Weaver	
McLain	Owen	Vacca	Wilson	
Melton	Register			—25

Nays: —0

The Bill:

H. 458. Relating to Marion County; to provide for the monthly salary and expense allowance of the chief deputy sheriff and all additional deputy sheriffs in said county; repealing conflicting legislation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Lindsey	Owen	
Bailes	Dozier	Lybrand	Pierce	
Baker	Fine	McLain	Register	
Branyon	Gilmore	Melton	Shelby	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	King			—25

Nays: —0

The Bill:

H. 459. To make an appropriation from the Marion County treasury for the relief of Olen Gann.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Baker	Gilmore	Lybrand	Pierce	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 461. To authorize any bank situated in an incorporated municipality in Marion County, Alabama to establish, operate and maintain branch banks or additional offices or places of business within said incorporated municipality.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Fine	Hawkins
Bailes	Cook	Gilmore	Horne
Baker	Dominick	Givhan	Lindsey
Branyon	Dozier	Harris	Lybrand

McLain	O'Bannon	Shelby	Wilder	
Melton	Owen	Vacca	Wilson	
Noonan	Pierce			—25
Nays:				—0

The Bill:

H. 462. To authorize any municipality in Marion County to operate a public ambulance service and to use any civil defense ambulance or other civil defense equipment they have in their possession for such public ambulance service purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Owen	
Bailes	Fine	Lybrand	Register	
Baker	Gilmore	Malone	Shelby	
Branyon	Givhan	Melton	Vacca	
Carr	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	King			—25
Nays:				—0

The Bill:

H. 571. Relating to all counties having a population of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retro-active to March 23, 1973.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Weaver	
Clark	Harris	Melton	Wilder	
Cook	Hawkins	Noonan	Wilson	
Dominick	Horne			—25
Nays:				—0

The Bill:

H. 573. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150.00 per month.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Carr	Cook
Bailes	Branyon	Clark	Dominick

Dozier	Horne	Melton	Shelby	
Fine	King	Noonan	Vacca	
Gilmore	Lindsey	Owen	Wilder	
Givhan	Lybrand	Pierce	Wilson	
Hawkins	McLain			—25

Nays: —0

The Bill:

H. 583. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	McLain	Register	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Melton	Weaver	
Dominick	Horne	Noonan	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 584. To provide that the Sheriff of Marion County shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners, to make the provisions of this act retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Clark	Hawkins	Melton	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 585. To provide for the appointment of an additional deputy sheriff in Marion County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Cook	Fine
Baker	Clark	Dozier	Gilmore

Givhan	Lindsey	O'Bannon	Vacca	
Harris	Lybrand	Owen	Weaver	
Hawkins	McLain	Pierce	Wilder	
Horne	Malone	Register	Wilson	
King	Noonan			—25
<i>Nays:</i>				—0

The Bill:

H. 587. To propose an amendment to the Constitution of Alabama creating a special school tax district in Marion County and authorizing the levy and collection of special district property taxes for capital outlay purposes for the Marion County school system within said special district, and providing that such levy and collection shall be subject to a vote of the qualified electors in the district.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25
<i>Nays:</i>				—0

The Bill:

H. 1376. To authorize each circuit judge of the Eleventh Judicial Circuit to appoint a bailiff-law assistant or alternatively to appoint two other bailiffs; to provide for the compensation, duties and payment of such bailiffs.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pierce	
Bailes	Gilmore	Malone	Register	
Branyon	Harris	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Littleton			—25
<i>Nays:</i>				—0

The Bill:

H. 1468. To amend Section 1 of Act No. 106 H. 173, 1967, Special Session (Acts of 1967, Vol. 1, Page 138) entitled, "An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit".

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Bailes	Foshee	McLain	Register	
Baker	Gilmore	Malone	Shelby	
Branyon	Harris	Melton	Weaver	
Carr	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

H. 1469. To amend Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, "An Act to establish in the Eighteen Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of the said Eighteenth Judicial Circuit, Place Number Two, to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1045. Relating to the Eleventh Judicial Circuit, authorizing each circuit judge of said circuit to appoint a secretary and providing compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Register	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 555. Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically pro-

viding for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	Malone	Register	
Baker	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 606. To provide funds for clerical hire for the circuit clerks of all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Givhan	McLain	Shelby	
Branyon	Harris	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	King	Pierce	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 646. To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and proceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court.

METHOD OF TRANSFER:

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Cook	Dozier
Bailes	Carr	Dominick	Edington

Foshee	Horne	Malone	Register	
Gilmore	King	Noonan	Shelby	
Givhan	Lindsey	O'Bannon	Weaver	
Harris	Littleton	Pierce	Wilder	
Hawkins	McLain			—25
Nays:				—0

The Bill:

S. 659. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Foshee	Lybrand	Pierce	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	King			—25

Nays: —0

The Bill:

S. 663. Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Baker	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 664. Providing expense allowances for members of the governing bodies of counties having populations of not less than 10,660 nor more than 10,900, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Weaver	
Carr	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 665. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Littleton	Pierce	
Baker	Foshee	McLain	Shelby	
Branyon	Gilmore	Malone	Weaver	
Carr	Harris	Melton	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 667. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relates to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Harris	Melton	Weaver	
Clark	Jones	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 669. Relating to counties having a population of not less than 57,000 nor more than 61,000; authorizing the county governing body of such counties to provide the bailiff of the Circuit Court of such counties additional compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 696. Relating to the Fourteenth Judicial Circuit, providing further for the salaries of the court reporters of said circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	Malone	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

S. 699. To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves

of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protest; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Gilmore	Littleton	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

S. 714. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 744. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Tax Collector and Tax Assessor and to provide for the payment of the same for said officers of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pierce
Bailes	Fine	McLain	Register
Branyon	Gilmore	Malone	Shelby
Carr	Givhan	Melton	Vacca
Clark	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Lindsey		

—25

Nays:

—0

The Bill:

S. 745. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce
Bailes	Fine	McLain	Register
Branyon	Gilmore	Malone	Shelby
Carr	Givhan	Melton	Vacca
Clark	Harris	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 747. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance and an additional clerk hire allowance for the circuit clerk.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Owen
Baker	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Weaver
Cook	Hawkins	Melton	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 749. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent

federal decennial census; to provide for additional expense allowance for the tax collector and tax assessor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Lybrand	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 757. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide that charitable funds contributed to such county may be used to carry out the provisions of Act No. 394, H. 204, Regular Session 1957 (Acts 1957, p. 539).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Baker	Foshee	McLain	Register	
Carr	Givhan	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Horne	Noonan	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 765. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body of Choctaw County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Lybrand	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 715. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the last federal decennial census; requiring all members, officers and employees of any chamber of commerce or of any committee, board, agency or subsidiary of any chamber of commerce in said county to be residents of the county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Lybrand	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

ADJOURNMENT

At 4:35 P. M., on motion of Mr. Lybrand, the Senate adjourned until Thursday, August 9, 1973, at 11 o'clock A. M.

TWENTY-EIGHTH LEGISLATIVE DAY

THURSDAY, AUGUST 9, 1973

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert D. Miller, Minister, Westminster Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Seventh Legislative Day was approved by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 267. Relating to DeKalb County to authorize and regulate the issuance in DeKalb County of motor vehicle license tags by mail.

Also:

S. J. R. 53. Commending the Alabama YMCA Youth Legislature on its 25th anniversary.

Also:

S. J. R. 80. Urging the United States Interior Department to open federal lands off the Alabama coast for bidding for purposes of exploring for oil and natural gas.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 308. To provide, in Chambers County for the incorporation of an authority to lease or own or otherwise acquire and provide, control

and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within said county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; to accord the authority exemption from state, county and city taxation; to provide that this act shall be given retroactive effect to August 19, 1969; and to validate the incorporation of, and all acts done by, any authority heretofore incorporated or attempted to be incorporated under the provisions of Act No. 437, H. 774, approved August 19, 1969 (Acts 1969, p. 864), as amended.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committee, as follows:

By Messrs. O'Bannon, Jones and Vacca:

S. 814. To make a supplemental appropriation to the State Agency for Social Security for the fiscal year ending September 30, 1973.

Committee on Finance and Taxation.

By Mr. Melton:

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be the subject to the recommendation and approval of the probate judge of said county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Wilcox County is hereby authorized to enter into contract for the purchase, lease or contractual services for providing data processing, computerized services or other modern or updated electronic based systems for bookkeeping recording, indexing and filing of all documents, instruments and writings that are of record in the office of the probate judge, tax assessor and tax collector of said county. Said commission may provide for the microfilming of all records, documents, files, papers or other writings which are required by law to be recorded in the office of the probate judge, tax assessor or tax collector and for such projective and reading equipment as may be necessary. Such microfilms or prints therefrom when duly authenticated by the said probate judge, tax assessor or tax collector, as the case may be, shall have the same force and effect at law as the original record or of copies thereof when made by any other legally authorized means, and may be offered in like manner, and shall be received in evidence in any court where such original record or copy thereof made by other legally authorized means, could have been received in court.

Section 2. The county commission shall provide for the services, equipment and supplies necessary to implement the provisions of Section 1 of this act by either lease or outright purchase or by contractual services, whichever in the discretion of the county commission is deemed to be in the best interest of the county. The probate judge of said county shall be authorized to select the type of services to be used and to recommend and approve all contracts therefor. Because of the specialized nature of such services, all contracts therefor may be made without regard to any applicable statewide or local competitive bid law.

Section 3. All funds necessary and incidental for the implementation of this act shall be paid out of the general fund of Wilcox County.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5, and 12, all in the year 1973.

M. HOLLIS CURL.

Sworn to and subscribed before me July 12, 1973.

GLEND A. C. CURL,
Notary Public.

By Mr. Melton:

S. 816. Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Be It Enacted by the Legislature of Alabama:

Section 1. No claim presented to the Conecuh County Commission under Code of Alabama 1940, Title 12, Section 110 or Title 12, Section 111, need be sworn to and no testimony need be presented as to whether any part of such claim has been previously paid as is required by Code of Alabama 1940, Title 12, Section 115, however, all such claims must be accurately and fully itemized.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1973.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me June 23, 1973.

HAROLD ADAMS,
Notary Public.

My commission expires April 5, 1977.

By Mr. Lindsey:

S. 817. Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spiritous or vinous liquor; levying a privilege license or excise tax upon sellers; distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous

liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) Relating to Choctaw County, Alabama; every person, firm, corporation, copartnership, club or association, other than the State Alcoholic Control Board stores, who sells or distributes spirituous or vinous liquors shall pay a privilege or excise tax of ten percent on the wholesale price of each bottle or other container thereof.

(b) Every person, firm, copartnership, corporation, club, association, agency, distributor, storer, or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) shall pay a privilege license or excise tax upon the sale, use or consumption, distributing, storing or withdrawing from storage in said counties of any malt or brewed beverages as herein defined. Such tax shall be in an amount equal to two cents on each twelve fluid ounces, or fractional part thereof, and one-sixth cent for each ounce in excess of twelve ounces in a container, of malt or brewed beverages sold, used, consumed, distributed, stored or withdrawn from storage in said counties, which tax shall be in addition to any and all other taxes heretofore or hereafter levied on such beverages. Provided, the County Commission of Choctaw County if it deems it advisable, may levy an additional tax not to exceed two cents on each twelve fluid ounces or fractional part thereof and one sixth cent for each ounce in excess of twelve ounces in a container on malt or brewed beverages sold, used, consumed, distributed, stored, or withdrawn from storage. Where the amount of tax levied under the provisions of this Act shall have been paid to the counties or to any municipalities therein by any seller distributor, dealer, storer or user, such payment shall be sufficient the intent being that the tax levied by this Act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the Probate Judge of Choctaw County who shall be solely responsible for the administration of this Act. Said Probate Judge shall provide rules and regulations and administrative machinery for the enforcement and collection of the tax levied and may provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax and provide proper forms requiring sufficient information and proof to be verified by the oath of any seller distributor, dealer, storer, or other user claiming exemptions from payment of the tax on account of purchases made from payment of the tax on account of purchases made from others who have paid the tax imposed by this Act. As his compensation for the performance of his duties in administering this act the Probate Judge shall be entitled to two and one-half per cent (2½%) of all taxes collected under the provisions of this act. Said Probate Judge shall be authorized to employ such additional personnel and inspectors to assist in the administration and enforcement of this Act as it deemed necessary and desirable at a cost not to exceed ten percent of the proceeds of the tax per annum.

Section 3. (a) Each and every seller of spirituous or vinous liquors shall on or before the fifteenth day of the first full calendar month after the effective date of this Act, and on or before the fifteenth day of each calendar month thereafter, file with the Probate Judge, a

written statement, sworn to and subscribed by such seller, showing the name and address of such seller, each and every purchase, receipt or procurement of spirituous or vinous liquors made by such seller during the calendar month next preceeding together with the brand or brands of such spirituous or vinous liquors, the quantity of each brand, the wholesale price, the size of the container of each brand, the date or dates on which purchased, together with the quantity of each brand of such spirituous or vinous liquors sold, distributed, or delivered.

(b) Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this Act, and on or before the 15th day of each calendar month thereafter, file with the Probate Judge a written statement sworn to and subscribed by such distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceeding, together with the name and address of the producer, distributor, seller, or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of container of each brand of such malt or brewed beverages, the quantity of each brand, the size and kind of container of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt brewed beverages and the date or dates on which sold, distributed or delivered.

(c) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of spirituous or vinous liquors or malt or brewed beverages within the county without first having obtained a permit to do so from the Probate Judge and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section or any other part of this Act, shall authorize any sale, distribution or delivery of spirituous or vinous liquors or of any malt or brewed beverages within said counties, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5 (a) It shall be the duty of any person subject to the license tax imposed by this Act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the Probate Judge thirty days notice in writing of his intent to destroy or dispose of such records. The Probate Judge of its duly authorized agent is authorized to inspect such records and to make copies of such parts of same as may be deemed advisable or proper. The failure to keep such records or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the Probate Judge or its authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this Act to furnish, without delay,

all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business all books of account invoice, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of license tax to which such person is subject may be determined including herein the exhibition of bank deposit, books and bank statements. Any person failing to or refusing to submit such records for such inspection or examination upon lawful demand therefore shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this Act not keep and have in his possession or control correct and detailed books of account, invoice, papers, reports or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due and the required information as to sales in the several tax recipient areas; or, if, having the same in possession or under control such person fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the Probate Judge to ascertain from such information and data as may reasonably be obtained the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipts of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and each day of failure to pay shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in Section 3 or when he buys his decals or other devices from the Probate Judge, if the Probate Judge requires the distributor or seller to buy decals or other devices.

Section 6 (a) It shall be the duty of the Probate Judge to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in compliance with the provisions of this Act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the Probate Judge to enforce the provisions of this Act, and to that end they are authorized to enter lawfully any premises of any retailer of spirituous or vinous liquors or of malt or brewed beverages at any time during the hours in which retailer is engaged in the business of selling or serving spirituous or vinous liquors or malt or brewed beverages and to inspect the containers of spirituous or vinous liquors or malt or brewed beverages, in the retailer's possession for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this Act. It shall be lawful also for any police officer or deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages or spirituous or vinous liquors.

Section 7. (a) Collection of the tax may be accomplished in this fashion:

The probate judge by requisition to and upon the governing body of Choctaw County, may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage, distributed or sold, each of

which decals or other devices shall bear in legible characters a notation that evidences the payment of the tax levied by this Act, and may procure such forms and other printed matter and material as may be necessary in the administration of this Act. To reimburse Choctaw County for the cost and expense incurred by it in securing and furnishing the said decals or other devices, and forms and other matter furnished by the county commission. There shall be deducted from the gross amount of tax collected, at each tax distribution period, the cost and expense incurred by the county in procuring and furnishing the decals or other devices contemplated by this Act and the cost of form or other materials hereinbefore provided for, and shall pay over the amount so deducted to the county. Decals or other devices may be furnished by the probate judge to each seller or distributor of spirituous or vinous liquors and malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures less a ten percent discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of spirituous or vinous liquors or malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

(b) The amount distributed by the probate judge to the several recipients of the proceeds of the tax as provided in this Act, shall be, as to each recipient of the tax, that recipient's proportionate part of the net proceeds of the tax, such net proceeds to be the total amount of taxes collected less the cost of collection and expenses of administration of this Act.

Section 8. After the payment of all costs of collection and enforcement of the tax levied herein, the net proceeds shall be prorated and distributed monthly by the Probate Judge to the county and municipalities therein on the basis of their respective populations according to the most recent Federal Decennial Census or the most recent count by the Bureau of the Census.

The Probate Judge shall determine the distribution formula after each federal decennial census and the new formula shall go into effect on the first day of January of the year next succeeding the year in which the federal government publishes the decennial figures, or on the first day of the second month succeeding the month the most recent count by the Bureau of the Census is filed with the Probate Judge.

Section 9. Any person, firm, or corporation who violates any provision of this Act or the rules and regulations as may be provided by the Probate Judge of Choctaw County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offence.

Section 10. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations set out by the Probate Judge shall pay, in addition to the tax, a penalty of ten percent of the amount of tax, together with interest therein at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 13. The operation of this Act shall be retroactive to July 14, 1973, and all taxes paid pursuant hereto are ratified and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Choctaw Advocate Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, Aug. 2, and August 9, all in the year 1973.

C. D. BOZEMAN,
Editor.

Sworn to and subscribed before me August 8, 1973.

NELL F. EZELL.

By Mr. Lindsey:

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 819. Relating to the First Judicial Circuit; designating each county solicitor or assistant district attorney in each county composing the circuit as a deputy district attorney, and providing that all such deputy district attorneys shall be entitled to receive equal shares of any funds appropriated by the state for the compensation of deputy district attorneys.

Committee on Judiciary.

By Mr. Lindsey:

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any foreign medical graduate residing within this state and wishing to practice medicine as a licensed physician in Choctaw County, who has met all other requirements with the exception of the Educational Counsel for Foreign Medical Graduates (ECFMG), now required by the State Board of Medical Examiners, shall have two alternate means by which to obtain a certificate. Such means shall be as follows:

(a) Said graduate may apply for and take the Federation Licensing Examination (FLEX), sponsored by the Federation of State Medical Boards of the United States. Upon making such application to the State Board of Medical Examiners, the said State Board of Medical Examiners must grant the application to said applicant. If the graduate scores a grade consistent with the requirements of the Licensing Board of the Federation of State Medical Boards of the United States, then he must be licensed to practice medicine in this state.

(b) Said graduates may take the test known as the Educational Counsel for Foreign Medical Graduates (ECFMG), and if a passing score is achieved, then he must be allowed to take the Federation Licensing Examination as provided in subsection (a) above.

No rules or regulations promulgated by the State Medical Association or any of its subdivisions shall prevent such foreign graduates from selecting the above stated alternative he deems to be in his best interest.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Choctaw Advocate Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, Aug. 2, and Aug. 9, all in the year 1973.

C. D. BOZEMAN,
Editor.

Sworn to and subscribed before me Aug 8, 1973.

NELL F. EZELL.

By Mr. Lindsey:

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Committee on Local Legislation No. 1.

By Mr. O'Bannon:

S. 822. Relating to all counties having populations of not less than 16,350 nor more than 16,650, providing an allowance for secretarial assistance for the register in equity under certain conditions.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 823. To authorize the governing body of Barbour County to provide for the relief of Evelyn Herring for the damage to her automobile due to a defective county road.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the governing body of Barbour County to provide for the relief of Evelyn Herring for the damage to her automobile due to a defective county road.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Barbour County is authorized and empowered to appropriate from the general funds of the county an amount up to \$850.00 to compensate Evelyn Herring for damages to her automobile sustained due to a defective county road; there being no recourse at law to recover the same and the county being morally obligated to provide for such compensation.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Editor & Publisher of the Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and Aug. 2, all in the year 1973.

JOEL P. SMITH.

Sworn to and subscribed before me 8-7-, 1973.

LAWSON C. KIRKLAND, JR.

By Messrs. Noonan, Edington and Pelham:

S. 824. To amend Section 24 of Act No. 3, H. B. 4, 2nd Special Session 1971 (Acts 1971, p. 4104), entitled "To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973" which section relates to the annual appropriations for the support, maintenance, and development of public education at the University of South Alabama, so as to further regulate the annual appropriation to said University for the fiscal year ending September 30, 1973.

Committee on Finance and Taxation.

By Mr. Owen:

S. 825. To authorize the Baldwin County governing body to appoint a Baldwin County Historical Commission to prescribe the powers and duties of and grant funds to said commission.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Baldwin County governing body to appoint a Baldwin County Historical Commission to prescribe the powers and duties of and grant funds to said commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Baldwin County is hereby authorized to appoint a Baldwin County Historical Commission, which may consist of nine or less members. The governing body may grant to said commission such powers and funds as it is authorized to do under the law, for the effective operation of the commission.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT:

This is to certify that the attached legal notice appeared in The Fairhope Courier, a weekly newspaper published in the City of Fairhope, County of Baldwin, State of Alabama on the dates of July 12, 19, 26, Aug. 2nd 1973.

MICHAEL M. BREEDLOVE,
Editor.

**STATE OF ALABAMA
COUNTY OF BALDWIN**

Sworn to and subscribed before me this 6th day of August 1973.

LINDA H. BREEDLOVE,
Notary Public, Baldwin County, Alabama.

My commission expires Dec. 10, 1974.

By Mr. Register:

S. 826. Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County; repealing conflicting laws; and prescribing the effective date of this Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County; repealing conflicting laws; and prescribing the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. On and after the first Monday after the second Tuesday in January, 1975, there shall be a county revenue commissioner in Dale County, subject to approval of the Dale County voters in a referendum election. Such commissioner shall be elected in the November, 1974 general election and every four years thereafter in such general elections, and shall serve for a term of office of four years from the first Monday after the second Tuesday in January next succeeding his election, and shall serve until his successor is similarly elected, qualified and takes office.

Section 2. The county revenue commission shall do and perform all acts, duties, and functions required by law to be performed either by the tax assessor or by the tax collector of the county relative to the assessment of property for ad valorem taxation, the collection of such taxes, the keeping of records and the making of reports concerning assessments for and the collection of taxes. He shall also do and perform all acts, duties, and functions required by law of the license inspector of Dale County relative to the collection of delinquent privilege license taxes.

Section 3. Subject to the approval of the county commission or other like governing body of the county, the county revenue commissioner shall appoint and fix the duties and compensation of a sufficient number of deputies, clerks, and assistants to perform properly the duties of his office. The acts of deputies shall have the same force and legal effect as if performed by the county revenue commissioner himself.

Section 4. Before entering upon the duties of his office the county revenue commissioner shall take the oath of office prescribed by Article XVI of the Constitution of Alabama, and execute a bond in such sum as may be fixed by the county commission or like governing body of the county, giving as security thereon a bonding company authorized to do business in Alabama. The bond shall be conditioned as other official bonds are conditioned and shall be approved by and filed with the judge of probate. The cost of the bond required herein shall be paid out of the general funds of the county on warrant of the county commission or other like governing body of the county, and shall be a preferred claim against the county.

Section 5. The county commission or other like governing body of the county shall provide the necessary offices for the county revenue commissioner in the courthouse, and shall provide all stationery, equipment, and office supplies, not otherwise furnished by law, needed for the efficient performance of the duties of the office.

Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees, percentages, commissions and other allowances which the tax assessor, the tax collector, or the license inspector of the county are now or hereafter by law authorized or directed to charge or collect for the performance of any duty imposed by law on any such officers and hereby transferred to and imposed on the county revenue commissioner. As compensation for the performance of the duties of his office the county revenue commissioner shall receive an annual salary of \$15,000.00, payable in equal monthly installments out of the general fund of the county.

Section 7. The offices of tax assessor, tax collector and license inspector of Dale County are hereby abolished effective on the first Monday after the second Tuesday in January, 1975.

Section 8. It is the purpose of this Act to conserve revenue and promote the public convenience in Dale County by consolidation the offices of tax assessor, tax collector and license inspector of such county into one county office.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. The provisions of this act shall become operative in Dale County, only if they are first approved by a majority of the quali-

fied electors of said county who vote thereon in a referendum election. Said referendum shall be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature at which time the question submitted shall be:

Shall Act No. _____ of the _____ Session of the Legislature (here insert the number of this Act) which provides for the abolition of the offices of tax assessor, tax collector and license inspector of Dale County and the consolidation of the duties of these three offices into the one office to be known as the county commissioner of revenue, be approved? _____ Yes. _____ No.

If a majority of the votes cast at such election are "Yes" votes, then this Act shall become effective as provided above. If a majority of the votes cast are "No" votes, this Act shall have no further force or effect. The referendum election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution. Notice of the election to be given by the county commissioners of Dale County. Such notice shall be published once a week for three successive weeks before the day of the election. The judge of probate shall also certify the result of the election of the Secretary of State immediately after the returns have been certified.

Section 12. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, 18, 25, and August 1, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 1, 1973.

IRENE MATHIS.
Notary.

By Mr. Register:

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA DALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the minimum compensation of deputy sheriffs in Dale County.

Be It Enacted by the Legislature of Dale County:

Section 1. The county commission of Dale County shall provide for the compensation of all deputy sheriffs employed by the sheriff of Dale County. Such compensation shall be paid by the county out of any funds in the county treasury not otherwise appropriated. The compensation of the deputy sheriffs shall be set at a figure not less than \$5,000 per year. The salary of the deputy sheriffs may exceed the \$5,000, at the discretion of the Dale County Commission.

Section 2. All laws or parts of laws which conflict with this Act whether general, special or local are hereby repealed and this Act shall be the sole basis for compensation of deputy sheriffs in Dale Co., provided however, that the provisions of this Act shall not abrogate any statute providing for expense allowance of deputy sheriffs in Dale County.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, 18, 25, and August 1, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 1, 1973.

IRENE MATHIS,
Notary.

By Mr. Register:

S. 828. Relating to Dale County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority,

powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Dale County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
DALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dale County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other authority now vested in the Dale County Commission, the said Dale County Commission shall set the necessary policies and priorities for the construction, maintenance and repair of all public roads, county highways, bridges, ferries and public facilities within Dale County, Alabama, to insure the people of Dale County with a safe and adequate road system. It shall be the further duty of each associate member of the commission to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the commission with his recommendations; to advise with the county engineer concerning the problems of his district, particularly; and to assist in securing rights-of-ways, and assist in public service generally. It shall be the duty of the county engineer to provide the necessary equipment and personnel to respond to any request of an emergency nature made by an associate member of the Dale County Commission or any citizen in the absence of a commissioner wherever and whenever an emergency shall arise in Dale County.

Section 2. The Dale County Commission or any succeeding county governing body performing the functions of the county governing body in said county, shall appoint and employ a county engineer, who shall be a thoroughly qualified and competent professional engineer not required to be a land surveyor, but otherwise possessing all of the qualifications as specified for county engineers under the general laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Dale County public roads, highways, bridges, ferries, and other county engineering projects and shall, during his employment reside in Dale County, Alabama. The said county engineer shall serve at the pleasure of the Dale County Commission.

Section 3. It shall be the duty of the said county engineer, in accordance with policy established by the Dale County Commission, within the law of the State of Alabama, (1) to employ, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, bridges and ferries of Dale County, and he shall have authority to prescribe their duties, and to discharge said employees for cause; (2) to perform such engineering service and surveying as may be required; (3) to maintain the necessary accounting records to reflect the cost of the county highway system; (4) in accordance with the policies and priorities established by the Dale County Commission, to build or construct new roads, or change old roads; (5) it shall be his further duty, insofar as is feasible, to construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines.

Section 4. It shall be the duty of the commission to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges, ferries, and public facilities and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants.

Section 5. The commission shall fix the amount of the salary of the said county engineer, payable in equal monthly installments from appropriate road and highway funds.

Section 6. Before entering upon his duties, the said county engineer shall make and enter into a surety bond in the amount of five thousand dollars (\$5,000.00), payable to Dale County, conditioned for the faithful discharge and performance of his duties as such engineer, and for the faithful accounting of all monies or property of said county, which may come into his possession or custody. Said bonds shall be executed by a surety company authorized and qualified to do business in Alabama, and be approved by the commission. The premiums thereon shall be paid by the county.

Section 7. The commission shall furnish the county engineer with an office within the county and all necessary office supplies, equipment, communication utilities and with necessary transportation to accomplish his duties under this Act.

Section 8. The county engineer shall be the custodian of all road machinery and equipment, tools, supplies and repair parts, owned by Dale County, and he shall be accountable to the Dale County Commission for the same at all times. The Dale County Commission shall establish necessary policy and regulations governing accountability and relief therefrom. The commission shall furnish the necessary storage and repair facilities for said tools, machinery, supplies and equipment, and the county engineer shall keep on file in his office, at all times, an up-to-date inventory containing a list of all said tools, machinery, equipment and supplies belonging to Dale County.

Section 9. The authority of said county engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges, ferries, or any other duties for Dale County as may be set aside and appropriated by the commission as hereinafter provided; it shall be the duty of said commission at some meeting in September of each calendar year or not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining, and conditioning said

roads, bridges and ferries of Dale County for the current fiscal year beginning on October 1st, which said amount, other than the salary of said county engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and ferries in Dale County during said period; provided however, that said commission is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said county engineer during the said period when such authorization will not conflict with provisions of the general laws of The State of Alabama. Provided further, that if such funds are presently available, and have not heretofore been set aside by the present Dale County Commission, immediately upon the passage and approval of this Act it shall be the duty of the commission to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and ferries until the meeting in September or October, 1973, as hereinabove provided for.

Section 10. The county engineer shall make written requisition to the County Purchasing Agent for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance, or repair of the public roads, bridges and ferries of Dale County. Such requisitions shall be filed and presented by the chairman to the commission at its next meeting, for the approval of the commission. Provided however, that the County Purchasing Agent shall have full power and authority to make said purchases without first obtaining the approval of the Dale County Commission if the delay caused by the hereinabove procedure, might, in his judgment, cause an unnecessary and harmful interruption in the operation of the county road system, providing said purchases are made in accordance with prevailing law. The County Purchasing Agent shall be solely responsible and accountable for purchasing the materials, machinery, equipment, and supplies under the approved requisitions, and shall report monthly to the Dale County Commission.

Section 11. It shall be the further duty of the county engineer to inspect all materials, machinery, equipment, and supplies, purchased by Dale County for use on public roads, bridges, and ferries, when the same is delivered, and the same shall neither be accepted nor paid for without it's first having been approved by him and any deviation shall be reported by the engineer to the Dale County Commission.

Section 12. In the event an emergency should arise, in which it would be impossible for the commission to employ an engineer, as hereinabove provided for, then, in that event, the commission shall employ a competent road supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said engineer, and be subject to the provisions of this Act; but an emergency shall not exist longer than necessary to employ a qualified engineer who will accept employment by said commission under the terms of this Act, it being the intention of this Act to provide that, when county roads, bridges and ferries are to be maintained or constructed in said county, the supervision thereof shall be under a qualified engineer.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, 18, 25, and August 1, all in the year 1973

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 1, 1973.

IRENE MATHIS,
Notary.

By Mr. Register:

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
DALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be established a personnel appeals board for Dale County.

Section 2. For all the purposes of this act the following words and phrases shall have the following meanings:

"Personnel appeals board" hereinafter called the board, shall mean the board created by this Act.

"County" shall mean Dale County.

"Employee" shall mean any person regularly employed by any such county in a job or position.

"County commission" shall mean the existing county governing body of any county to which this Act applies or any such succeeding county governing body for such county.

Section 3. The board of appeals, created pursuant to this Act, shall by rule specify the employees and personnel of the county who shall be subject to the provisions of this Act and also those who are exempt from it; and such board shall see that a copy of such rule or rules is always posted in a conspicuous place at the courthouse of the county and a copy thereof kept at the office of the board for public inspection.

Section 4. No person to whom this Act applies, shall be appointed or promoted to, or demoted or dismissed from any job or position with the county, or in any way favored or discriminated against with respect to his employment because of his political or religious opinions or affiliations. No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated to secure employment, promotion, increase in pay or any other advantages in employment with the county for the purpose of influencing the vote or political action of any person or for any consideration. No employee of the county shall, directly or indirectly, pay or promise to pay any assessment for any political organization or purpose, or solicit or take any part in soliciting any such assessment, and no person shall solicit any such assessment of such employee of the county. No such employee shall be a member of any national, state, or local committee of a political party, or an officer of a partisan political club, or a candidate for nomination or election to any public office, or shall take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote. Provided, however, nothing in this Act shall prohibit any person-employed by the county from serving out the term of a party office for which he had been elected at the time this Act becomes effective. Any employee of the county to whom this Act applies who violates the provisions of this section shall forfeit his position.

Section 5. Any employee who, for any cause, has been dismissed, suspended, demoted or whose pay has been reduced, may, not less than 7 days and not more than 14 days thereafter, apply to the personnel appeals board of the county for a hearing on the charges made against him leading to such disciplinary action, by filing a written petition, sworn to by proper affidavit, and addressed to the personnel appeals board, with the clerk of said board. Upon the filing of such a petition the chairman of the personnel appeals board shall fix a date not less than 7 nor more than 21 days thereafter for the hearing of said petition. Upon the hearing of said petition the board shall receive all evidence in support of the disciplinary action heretofore mentioned and any evidence offered by such employee against such disciplinary action or in support of his petition for leniency under the circumstances. Said board shall render a written decision covering the issue involved not later than 7 days following the conclusion of the hearing. The decision of the board may uphold the disciplinary action or the board may modify such action in any manner it deems to be just and proper, including the full reinstatement of the petitioning employee with all pay and allowances from the date of the imposition of discipline.

Section 6. The personnel appeals board shall designate a clerk of said board. The person designated as the clerk may be an employee of the county in some other capacity. The county governing body of any

county to which this Act applies is authorized to employ and to provide for the compensation of such additional clerks to assist the said clerk as it may deem necessary for the administration of this Act.

Section 7. The personnel appeals board of any county to which this Act applies shall be composed of five members. One member shall be appointed by the county commission, one by the judge or the presiding judge if there are more than one judge in the circuit in which such county lies, one by the judge of any statutory inferior court in such county, if there is such court in the county, one by the judge of probate, and one shall be elected by the county employees who will be subject to the provisions of this Act. One of the members originally so appointed shall serve for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years and one for a term of six years. The original members of the board so appointed shall draw lots to determine the length of term each shall serve. Thereafter all members shall serve for terms of six years each, and until their respective successors are appointed as specified above. Any member of the board whose term shall expire shall be eligible for reappointment.

No person shall be appointed to the personnel appeals board unless he is of recognized good character and ability, and is an actual resident in and qualified elector of the county. No person shall be eligible to appointment or shall continue to be a member of a board created under this Act who holds an elective office under the state, county, or any city therein, or who is a candidate for elective office. Vacancies on the board shall be filled for the unexpired terms in the same manner as original appointments are made. The board shall elect a chairman from among its members, who shall preside at its meetings. Three members shall constitute a quorum for the transaction of any business which may properly come before the board. Each person so appointed shall, within fifteen days after appointment, qualify by making oath that he will faithfully execute the duties of office to the best of his ability and knowledge, which oath shall be recorded as provided by law. The board shall adopt reasonable rules regulating the procedure of the board. Notice of all meetings of the board shall be given to each member by the clerk of the board.

Section 8. The personnel appeals board shall meet on the call of the chairman or upon call of three members of said board. Such meetings shall be held in the county courthouse in an office which the county commission shall provide. Each member of the personnel appeals board shall be entitled to receive ten dollars for each day actually served in transacting the business of the board. Such compensation shall be payable from such funds as the county commission prescribes.

Section 9. The personnel appeals board shall prescribe in writing such rules and policies as are necessary for the administration of this Act. Such rules and policies shall specifically designate, among other things, the chain of command and to whom each employee is directly responsible.

Section 10. The personnel appeals board may at its discretion contract with the personnel board of the State of Alabama or any other organization to perform such studies of wages, job descriptions and other studies necessary for the performance of the board's duties. The cost of such studies will be paid from such funds in the county treasury as the county commission designates; and the payment of all such costs shall be subject to approval of the county commission.

Section 11. The personnel appeals board will review the administration of this Act and prior to the first day of each regular legislative

session report to the county's legislative delegation and to the county commission suggesting any needed revisions of this Act.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this Act are repealed.

Section 14. This Act shall become effective January 1, 1974.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, 18, 25, and August 1, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 1, 1973.

IRENE MATHIS,
Notary.

By Mr. Malone:

S. 830. To amend Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah County from membership of such Authority at the end of current term of office of said senator.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act. No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah

County from membership of such Authority at the end of current term of office of said senator.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324) is hereby amended to read as follows:

"Section 1. There is hereby created and established the Etowah County Solid Waste and Park and Recreation Authority, which shall be composed of the chairman of the Etowah County Commission or other like governing body, the Etowah County Health Officer, or his administrative assistant, and the state senator from Etowah County, provided that at the end of the present term of office of the state Senator from Etowah County said Senator shall cease to be a member of such Authority and shall be relieved of all duties thereto; provided further that the remaining members of the Authority shall select another member to replace the said state Senator upon the expiration of his term of office, and shall make said selection every four (4) years thereafter. The members of said Authority shall serve without compensation except that they shall be reimbursed for actual expenses incurred in the performance of their duties."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1973.

Sworn to and subscribed before me August 6, 1973.

LEO DRISKELL,

Notary Public, Alabama State at Large.

My Commission Expires May 16, 1976.

By Mr. Malone:

S. 831. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for the creation, establishment, operation, management and purchase of equipment of and for an animal shelter in such counties and for the appointment of a humane officer and necessary assistants.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 832. Relating to all counties having populations of not less than 38,100 nor more than 40,500; abolishing the office of county solicitor or deputy district attorney in such counties.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 833. To provide additional compensation for each official court reporter of the Thirty-eighth Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 834. To establish in the Thirty-eighth Judicial Circuit the office of clerk-secretary to each circuit judge of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the county comprising the Thirty-eighth Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 835. Relating to all counties having populations of not less than 38,100 nor more than 40,500, authorizing the respective governing bodies of such counties to designate and set up certain projects relating to construction of roads and bridges therein.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 836. To amend Act 249, S. 171, Regular Session 1973, which provides additional compensation for the official court reporters of the ninth judicial circuit, so as to change the method of payment.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 837. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide for clerk hire for the tax assessor and tax collector of such county.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 838. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the probate judge of such county.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 839. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the members of the governing body of such county.

Committee on Local Legislation No. 1.

By Mr. Pelham:

S. 840. To amend further Title 28, Section 321, Code of Alabama 1940, as amended, which relates to the state insurance fund; to provide for a discount or surcharge on premiums paid into the fund based on the experience of the individual insureds participating in the fund.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 841. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investment by the State Insurance Fund.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 842. Relating to taxation, to provide for an exemption from ad valorem taxation of personal property in transit through this state, or in storage in a public or private warehouse or other storage facility for shipment to a destination outside this state, to declare the policy of this state to encourage the development of this state as a distribution center; to provide for certain warehouse or storage facility records with regard to such property; and to repeal inconsistent laws.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 843. Relating to taxation; to amend Title 51, Section 2 (1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 844. To amend further Section 63 of Title 36, Code of Alabama (1940), as amended, so as to provide for the designation of a driver's license examiner for every county and for the institution of an examination fee of one dollar.

Committee on Constitution and Elections.

By Mr. Pelham:

S. 845. To amend Section 343 of Title 55, Code of Alabama 1940, Re-compiled 1958, as amended, to provide for an increase in the awarding authority of the State Board of Adjustment.

Committee on Constitution and Elections.

By Mr. Carr:

S. 846. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 5,550 nor more than 5,700 inhabitants that lie within counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Messrs. Littleton and Fine:

S. 847. To amend Sections 2, 3, 5, 6, 7, 8 and 10 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, and to repeal Section 4 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, said Act creating the Board of Nursing, relating to Nursing and the practice of Nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the disciplining of licensees and fixing penalties for violation of said Act.

Committee on Health.

By Mr. O'Bannon:

S. 848. To provide for supplementing the salary or compensation paid to retired or supernumerary Circuit Judge having more than eighteen (18) years continuous service in office, as a Circuit Judge in the 31st Judicial Circuit of Alabama, consisting of Colbert County, and to provide an office in the Courthouse for such Judge.

Committee on Local Legislation No. 1.

By Mr. Gilmore:

S. 849. Relating to any county having a population of 600,000 or more inhabitants, according to the most recent federal decennial census; providing that all members of the county school board of education in said county shall reside within the area over which the particular school system has jurisdiction; and providing that present members shall not lose their position and may be reelected.

Committee on Local Legislation No. 2.

By Mr. Weaver:

S. 850. Relating to all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations; validating, ratifying and confirming all prior deposits of such fines and forfeitures; repealing all conflicting laws and parts of laws general, local and special.

Committee on Local Legislation No. 1.

BILLS RE-REFERRED

Mr. Horn moved that, in accordance with Senate Rule 50, the Bill, H. B. 566, be recalled from the Standing Committee on Judiciary and re-referred to the Standing Committee on Finance and Taxation, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 566, re-referred to the Standing Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Stubbs, et al:

H. 1258. To amend Section 8, Title 26, Chapter 1, Code of Alabama 1940, as last amended, relating to the pay for members of the Board of Appeals of the Department of Industrial Relations.

By Mr. Stubbs, et al:

H. 1259. To amend Section 198, Subsection C and F of Section 201, Paragraph 3 of Subsection C of Section 204, Section 207, Subsections B and C of Section 214, Subsections C and D of Section 216, Section 239 and Paragraph (1) of Subsection F of Section 240, Title 26, Chapter 4, Code of Alabama 1940, relating to appointment of an Alternate

Treasurer, merging of non-profit organizations, financing unemployment benefits by political subdivisions, extending the time limit an employer may file a claim for credit for rehire, increasing the maximum weekly benefit amount, limiting disqualifications for certain separations and increasing the penalty for other separations, non-charging an employer's experience rating record, crediting the employer's experience rating record when a decision allowing benefits is reversed by an appellate authority, providing a fine for an employer failing to file a contribution report, relieving newly subject construction contractors of the requirement to provide surety and permitting the requirement of surety from delinquent construction contractors.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bailes and Pelham (With Substitute):

S. 133. To make appropriations from the State Treasury for capital improvements.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 223. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

By Messrs. Branyon and Wilson:

S. 255. To provide for a scholarship program for medical education; to repeal Act No. 278, H. 182, adopted at the First Special Session of 1965 of the Legislature of Alabama (Acts 1965, p. 1384), and making an appropriation therefor.

By Mr. Wilson:

S. 443. To make an additional appropriation to the Alabama Board of Nursing for the fiscal year ending September 30, 1973.

By Mr. Wilson:

S. 734. Relating to the Fourteenth Judicial Circuit; fixing the salary paid by the Courts comprising such circuit to the official court reporters in such circuit and providing for the payment thereof.

By Mr. Foshee:

S. 98. Relating to the Public Service Commission; creating and establishing the Regulatory Personnel Survey Commission which shall examine qualifications, duties and compensation of the existing staff of the Public Service Commission and make recommendations and set standards and policies to enable the Public Service Commission to properly exercise its duties and responsibility to the public; to prescribe the composition, manner of appointment, powers and duties of the

Regulatory Personnel Survey Commission; and to provide for its financing out of existing funds.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Noonan (With Substitute):

S. 384. Pursuant to constitutional amendment CCCXVII ratified on January 27, 1972, this bill creates the Judicial Retirement Fund, and provides for the administration and supervision thereof; provides for the qualifications for retirement benefits for certain judicial officers; provides for the payment of retirement and disability benefits from the fund to qualified individuals; and provides for appropriations to carry out the provisions of the Act.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 593. To make a conditional supplemental appropriation to the Department of Public Safety for the fiscal years ending September 30, 1974 and September 30, 1975.

By Messrs. Callahan and Collins:

H. 251. To make an appropriation to the Department of Public Safety from the General fund of the State for certain communications system conversion requirements as recommended by the State Communications Master Plan.

By Mr. Mathews:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

By Mr. Harris:

S. 585. Amending Section 77 of Title 41, Alabama Code, 1940, requiring the execution of bonds by a tax collector, so as to provide a formula for determining the amount of the bond.

By Mr. McCorquodale:

H. 835. To make a supplemental appropriation to the Agricultural Center Board for the Livestock Coliseum for the fiscal year ending September 30, 1973.

By Mr. Fite (with notice and proof):

H. 456. To provide further for the compensation of the deputy district attorney for Marion County.

By Mr. Wilder:

S. 783. Relating to the 5th judicial circuit, to provide for the appointment and compensation of a deputy district attorney in each county comprising said judicial circuit.

By Mr. Wilder:

S. 784. Relating to the 19th judicial circuit, to provide for the appointment and compensation of a deputy district attorney in each county comprising said judicial circuit.

By Mr. Owen:

S. 726. Providing for the office of Deputy District Attorney in the Twenty-eighth Judicial Circuit providing for his appointment, duties, and compensation.

By Mr. Carr:

S. 781. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

By Mr. Baker:

S. 780. To authorize the district attorney of the Ninth Judicial Circuit to appoint one full-time and one part-time deputy district attorney, and to prescribe their duties; to fix their compensation and the manner of its payment.

By Mr. Baker:

S. 779. To authorize the district attorney of the Thirty-Eighth Judicial Circuit to appoint a part-time deputy district attorney, and to prescribe his duties; to fix his compensation and the manner of its payment.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Shelby (With Substitute):

S. 462. To provide for compensation of Deputy District Attorneys No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 677. To authorize the Alabama Public School and College Authority to sell and issue \$5,475,000 aggregate principal amount of additional bonds for capital improvements for Auburn University, and more particularly to modernize the Agricultural Experiment Station by re-locating and developing modern new field research facilities for the Main Station and certain facilities at certain outlying stations, to provide a base for a major expansion in agriculture and forestry; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged

and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

By Mr. Bank:

H. 114. To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to each member of the armed services from this State who was a prisoner of war in Vietnam; to provide for the administration of this Act by the State Department of Veterans Affairs.

By Mr. Brassell:

H. 961. Relating to the Twenty-sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

By Mr. Fine:

S. 269. To provide a state scholarship program to promote the education of nurses at Northwest Alabama Junior College; and making appropriations therefor.

By Mr. Fine:

S. 612. To provide retirement benefits for members of the Alabama Public Service Commission.

By Messrs. Owen and Pelham:

S. 698. To make appropriations from the general fund in the State Treasury to the Board of Corrections Fund to be used for Law Enforcement Planning Agency matching funds for the fiscal years ending September 30, 1974 and 1975.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca:

S. 679. To amend Section 201 of No. 407, Acts of Alabama, 1971 to define eligible surplus line insurers to include the wholly-owned subsidiary of an already eligible surplus line insurer or authorized insured.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 797. To amend Section 10, Act No. 227, H. 2, Regular Session 1971 (Acts 1971, p. 523), which Act authorizes and provides for the promo-

tion of production, distribution, marketing, use, improvement and sale of soybeans.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ellis:

H. 190. Relating to emergency care by Alabama State Troopers; requiring additional equipment for highway patrol cars and further instruction for troopers; and providing for the payment of costs.

By Mr. Ellis, et al:

H. 427. To prohibit the transportation of blasting caps and explosives in the same vehicle over the public roads and highways or in railroad cars on railroads in this state; prescribing penalties for the violation of this Act.

By Mr. Collins, et al:

H. 608. To provide that driver licenses bear photographic likenesses in color of licensed drivers and to provide for a system of color photographic driver license forms.

By Mr. McCorquodale, et al:

H. 633. Relating to the profession and practice of optometry; defining the profession and practice of optometry; providing for the regulation of optometrists; creating the State Board of Optometry, and prescribing its powers, duties and authority; authorizing the State Board of Optometry to suspend and revoke licenses, providing the manner of appealing from the decisions of the Board to the courts of this state; and providing for the enforcement of the act and prescribing penalties for violations thereof.

By Mr. Vacca:

S. 13. To regulate further vehicles using the highways of the State; providing for and regulating the compulsory periodic inspection of motor vehicles, trailers, semi-trailers, pole-trailers and mobile homes; requiring the adjustment, correction or repair of certain parts or equipment of such vehicles if such inspection discloses the necessity therefor; providing for the designation and regulation of inspection stations and the appointment of state inspectors; prescribing the fee for inspecting a vehicle and for appointment as an inspection station; providing for the collection and use of such fees; prescribing penalties for violations of the act; authorizing and providing for the administration and enforcement of this act by the director of public safety; providing appropriation therefor; and repealing Act No. 542, H. 290 of the Regular Session of 1943 (Gen. Acts of 1943, p. 522) which provides for municipal vehicle testing stations.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Vacca and Harris (With Amendment):

S. 445. To exempt certain religious organizations from the payment of any tax levied upon the recordation of certain instruments of

conveyance under Title 51, Section 618, Code of Alabama 1940, as amended.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jones and Pierce:

S. 638. To amend Title 23, Sections 1, 2, 8 and 27, so as to change the designation of the Highway Department to include the Alabama State Highway Commission, to change the manner of appointment of the Highway Director, to provide for the creation of Highway Districts, for the creation of an Alabama State Highway Commission and its powers, for the election of members of the Alabama State Highway Commission, to provide for the compensation of District Highway Commissioners and to provide for the duties, authority and compensation of the Highway Director.

By Mr. Littleton:

S. 681. To amend Section 2 Of Act No. 350, Regular Session 1945 (Acts 1945, p. 565), authorizing the governing body of any county or certain municipalities to create a recreation board, so as to authorize the governing body of any such county or municipality, within the discretion of any such governing body, to increase the members of such recreation boards from five to not less than five nor more than seven.

By Mr. Foshee:

S. 800. To require the State Highway Department to participate in the salary of one Assistant to the County Engineer in each County upon application of the County Commission or other like governing body in an amount equal to fifty (50%) percent of the annual salary of such Assistant not to exceed Five Thousand (\$5,000.00) Dollars per annum and to establish qualifications for such Assistant to the County Engineer.

By Mr. Carr:

S. 805. To provide for two deputy district attorneys for the 27th judicial circuit and their compensation and appointment.

By Messrs. Givhan, Clark, Dozier, Register, Owen, Malone, Branyon, Foshee and Littleton:

S. 286. To provide for employment of Industrial Developers by the Alabama Development Office as non-merit system employees.

Mr. Noonan, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Noonan, Pelham and Edington (With Substitute):

S. 687. To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School

Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 165. To provide for the incorporation of Alabama Judicial Building Authority as a public corporation for the purpose of acquiring, financing and leasing facilities designed primarily for use by the appellate courts of the State of Alabama; to provide the procedure for incorporation; to designate the members, directors and officers of the Authority; to provide for the powers of the Authority; to authorize the Authority to acquire, construct, operate and finance facilities designed primarily for use by the appellate court of the State in the City of Montgomery, Alabama; to confer on the Authority the power of eminent domain; to provide for the issuance by the Authority for its corporate purposes of interest bearing bonds not exceeding \$9,500,000 in aggregate principal amount, payable solely out of the revenues of the facilities of the Authority; to provide that such bonds shall constitute negotiable instruments; to provide that bonds issued by the Authority shall not constitute or create a debt of the State; to provide for the refunding, by the issuance of bonds of the Authority, of bonds theretofore issued by it; to provide that bonds issued by the Authority may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper applications of its revenues and proceeds of such bonds, and by a non-foreclosable statutory mortgage lien on the facilities out of the revenues from which such bonds are payable; to provide for constructive notice of any such statutory mortgage lien; to provide for the use of proceeds of any bonds issued by the Authority; to provide for the investment, pending the need therefor, of the proceeds from the sale of the bonds of the Authority and any other moneys of the Authority not presently needed; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to exempt the property and income of the Authority, and all bonds issued by it and the income therefrom and conveyances and leases to which the Authority is a party, from all taxation in the State, and to exempt the Authority from payment of certain charges to the judges of probate; to provide that any bonds of the Authority owned by a foreign corporation shall not constitute capital employed in the State for the purpose of determining liability for franchise and similar taxes; to provide that the State Treasurer shall be the treasurer of the Authority and the custodian of its funds; to authorize the conveyance to the Authority of land of the State located in the City of Montgomery; to authorize the lease by the Authority of its facilities to the State and to others; to authorize the lease by the State and its agencies of facilities from the Authority; to authorize the publication of notice of any resolution authorizing any bonds, pledges and covenants and to specify a limitation of time thereafter for actions or defenses respecting said bonds, pledges and covenants, and to provide for dissolution of the Authority and conveyance of its assets and properties to the State upon payment of said bonds; and to grant power and provide restrictions incidental to the performance of the foregoing.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with

substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Clark (With Substitute) (With Amendment):

S. 325. To amend the Title and Sections 2, 4, 6, and 8 of Act No. 87, S. 40, Third Special Session 1971 (Acts 1971, p. 4299), which relates to certain schools and/or courses of instruction publicized, sold, offered for sale and/or administered to residents of this State; prescribing certain requirements relative to the operations of schools and students; and providing exceptions to the application of the act, so as to transfer certain responsibilities from the State Board of Education to the State Department of Education; to clarify certain definitions and exemptions; to provide further for the security bond required for certain schools coming under the act and for the advisory board to advise in the administration of the Act.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Melton:

S. 355. To amend Act No. 606, S. 112, Regular Session 1969 (Acts 1969, p. 1110), which Act creates the office of Supernumerary Probate Judge in the various counties in Alabama, so as to change the term of service required for eligibility of such judges, and to add a subsection (d) to Section 1 which provides certain further qualifications for eligibility for such judgeships.

By Mr. Harris:

S. 402. To provide that the State Personnel Department, with the advice of The Alabama State Employees' Association, shall provide for service recognition pins for state personnel.

By Mr. Harris:

S. 623. To provide for a sentence of death or life imprisonment without parole in certain aggravated offenses; to prescribe the manner of charging and sentencing in such cases and to eliminate lesser included offenses in such cases; to limit the maximum punishment in all other cases to life imprisonment; to provide for an effective date of this act.

By Mr. Harris:

S. 624. To provide for increased penalties for the commission of second, third, fourth, and all subsequent felonies; to limit pardon, parole, and early release of such persons; to repeal all conflicting laws; and to provide an effective date.

By Mr. Harris:

S. 643. To amend Title 45, Section 253, Code of Alabama 1940, as amended, so as to reduce the amount by which a penitentiary sentence can be reduced for good behavior, and to repeal Title 45, Section 256, Code of Alabama 1940, as amended, which provides deductions from penitentiary sentences for work done by prisoners.

By Messrs. Fine and Foshee:

S. 644. To provide for transfer of certain members of the Employees' Retirement System of Alabama under Section 12 of Act 515 of

1945 Act as amended who are otherwise eligible to become members of the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature.

By Messrs. Fine and Foshee:

S. 656. To provide that all full-time cooks, maids and janitors employed by city and county boards of education in any public school or public college within this state may become members of the Teachers' Retirement System of Alabama and shall receive benefits provided under the provisions of the Code of Alabama, 1940, Title 52, Chapter 14, as amended, to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the county and city board of education or the governing body of any public school employing such cooks, maids and janitors, and also the duty of remitting to the secretary-treasurer of the Teachers' Retirement System of Alabama the employees' contributions; to provide for payment of employer contributions as necessary and providing for prior service for such cooks, maids and janitors out of funds of the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

By Mr. Melton:

S. 666. To amend Section 150 of Title 7, Code of Alabama 1940, relating to the survival of causes of action.

By Mr. Wilson:

S. 685. To amend Sections 1, 2 and 4, Act No. 1593, S. 28, Regular Session 1971, relating to the duties, functions and personnel of the Department of Court Management and to provide or assist in providing continuing legal and judicial education to judges and court-affiliated personnel; and to add thereto additional sections pertaining to coordination of the administration of justice with other units of the judicial system or other units of government.

By Mr. Falkenburg:

H. 147. To provide additional judges for the tenth judicial circuit of Alabama.

By Messrs. Turner and Williams:

H. 212. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

By Mr. Smith (P), et al:

H. 335. To further amend Section 1 of Act No. 208, S. 32, approved August 26, 1966 (Acts of Alabama, 1966 Special Session, page 256), which Act provides for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers or certain firemen who are killed in the course of employment, etc., said Section of said Act being last amended by Act No. 1130, S. 482, Legislature of 1969, approved September 13, 1969 (Acts of 1969, Vol. III, p. 2094); to further define the term "peace officer" as used in said Act No. 208, Legislature of 1966, Special Session, as amended, to include "livestock theft investigators" of the Department of Agriculture and Industries.

By Mr. Stokes:

H. 371. To provide for the granting of certain powers to testamentary trustees by reference to the provisions of this Act.

By Mr. Stokes:

H. 372. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the homeplace; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

By Mr. Perloff:

H. 497. To amend the Code of Alabama (1940), Title 7, Section 1000, to provide for presumption of notice of garnishment to defendant, when he fails to appear within thirty days from the date garnishment has been served on garnishee.

By Messrs. Mims, Downing and Barkett:

H. 516. To increase certain fees prescribed for the Secretary of State to be charged for services performed in connection with service of process in certain cases, and for such purpose to amend further Code of Alabama 1940, Title 7, Sections 192, 193 and 199, as amended; Act No. 415, S. 280, Regular Session 1959 (Acts 1959, p. 1102), as amended; Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), as amended; and Act No. 1936, H. 256, Regular Session 1971 (Acts 1971, p. 1325), all relating to such fees.

By Messrs. Mims, Downing and Barkett:

H. 518. To amend further Sections 13 and 21 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055), known as the Alabama Business Corporation Act, as heretofore amended, so as to increase the fees for filing certain statements of incorporation and amendments thereto.

By Mr. Stewart:

H. 627. To amend § 42 of Title 46, Code of Alabama 1940, which section relates to persons who may practice as attorneys by authorizing senior law students to perform, without compensation, acts enumerated in said section.

By Mr. Doss, et al:

H. 653. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945 p. 478), an act providing for appointment and designation of Supernumerary Circuit Judges.

By Messrs. Manley and Pruitt:

H. 667. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

By Messrs. Turner, Hobbie and Cottingham:

H. 688. Relating to crimes and offenses; prohibiting the giving of false information, falsely reporting a crime, or making a false allegation against a law enforcement officer; prescribing penalties.

By Messrs. Grainger, Lutz, King, Hale and Hearn:

H. 736. To create two additional judgeships for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judges.

By Mr. Fite:

H. 753. To amend Title 13, Section 124, of the Code of Alabama (1940), which relates to the appointment of special circuit judges when the regular judge recuses himself or refuses to try a case.

By Mr. Timmons, et al:

H. 775. To prohibit the false personation of a peace officer and to provide a penalty therefore.

By Mr. Hobbie, et al:

H. 1059. To regulate annual leave and sick leave of state merit system employees, to provide for partial payment of accrued and unused sick leave at the time of retirement of such employees.

By Messrs. Hill and Flipppo:

H. 1308. To provide for a state supplement to the Chief Deputy District Attorney in the 11th Judicial Circuit.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCorquodale, et al:

H. 331. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Manley and Pruitt:

H. 1328. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in Marengo and Sumter Counties and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

By Messrs. Agee and McCorquodale:

H. 1574. Providing for expense allowances for the tax assessor and for the tax collector of counties having populations of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census.

By Messrs. Agee and McCorquodale:

H. 1393. To provide that the county governing body, the governing body of any municipality, and the governing body of any hospital in all counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, wherein there is no established emergency ambulance service, shall be authorized and empowered to execute contracts with ambulance services in any adjacent counties to provide for ambulance service to such counties, the municipalities and hospitals thereof.

By Messrs. McCorquodale and Agee:

H. 1537. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal decennial census; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

By Messrs. Connell and Crawford (with notice and proof):

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

By Messrs. Connell and Crawford (with notice and proof):

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

By Messrs. Connell and Crawford (with notice and proof):

H. 1732. To amend Section 6 of Act Number 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system of assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

By Messrs. Connell and Crawford (with notice and proof):

H. 1671. To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

By Mr. Connell (with notice and proof):

H. 1605. To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Hallstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county.

By Mr. Connell (with notice and proof):

H. 1606. To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

By Mr. Connell (with notice and proof):

H. 1604. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

By Mr. Connell (with notice and proof):

H. 1602. Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

By Mr. Barkett:

H. 1446. Relating to counties having a population of not less than 52,500 nor more than 54,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Messrs. Connell and Crawford (with notice and proof):

H. 1205. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

By Messrs. Connell and Crawford (with notice and proof):

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county".

By Messrs. Fite and Grey (D):

H. 1344. Proposing an amendment to the Constitution of Alabama relative to the Buttahatchee River watershed Area.

(The above Bill was read a second time at length as required by the Constitution.)

By Messrs. Connell and Crawford (with notice and proof):

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

By Messrs. Connell and Crawford (with notice and proof):

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

By Messrs. Connell and Crawford (with notice and proof):

H. 1734. Relating to Houston County, providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge, requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

By Mr. Fine:

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

By Mr. Owens (with notice and proof):

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

By Messrs. Crawford and Connell (with notice and proof):

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election or appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

By Mr. Grey (D) (with notice and proof):

H. 1632. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette, in Fayette County.

By Messrs. Chesnut and Porter:

H. 1038. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

By Mr. Owens:

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

(The above Bill was read a second time at length as required by the Constitution.)

By Mr. Owens (with notice and proof):

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

By Mr. Owens (with notice and proof):

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

By Mr. Owens (with notice and proof):

H. 1712. Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

By Mr. Reid (R):

H. 1518. Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties.

By Messrs. Hill and Flipppo:

H. 1379. Relating to the eleventh judicial circuit; providing an expense allowance for all judges of such circuit; providing for a county salary supplement for such judges at the beginning of their next term of office.

By Messrs. Stewart, Burgess and Merrill (with notice and proof):

H. 1610. To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the Probate Judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district

shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect.

By Mr. Casey:

H. 1433. To allow the county commission of any county having a population of not less than 10,900 nor more than 11,500, according to the last or any subsequent federal decennial census to set the number and salary of employees in the office of the circuit clerk and register in chancery.

By Messrs. Crawford and Connell:

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Mims and Warren (with notice and proof) (With Amendment):

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Burgess, Stewart and Merrill (with notice and proof):

H. 1424. To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a non-profit ambulance service.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable

report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Grainger, Lutz, Hearn, King and Hale (with notice and proof) (With Substitute):

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, term, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. King, Grainger, Hale, Hearn and Lutz (with notice and proof):

H. 1531. To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

By Messrs. Grainger, King, Hale, Hearn and Lutz (with notice and proof):

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

By Messrs. Waldrop, Carnes and Wynot:

H. 1666. To authorize and permit flea markets to remain open on Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal decennial census, provided such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county.

By Messrs. King, Grainger, Hale, Hearn and Lutz (with notice and proof):

H. 1528. To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeal conflicting laws.

By Messrs. Carnes, Wynot and Waldrop:

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of

Registrars in counties having populations of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

By Mr. Casey:

H. 1431. Proposing an amendment to the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County.

(The above bill was read a second time at length as required by the Constitution.)

By Messrs. Carnes, Waldrop and Wynot:

H. 1569. Relating to all Counties in the State of Alabama having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial Census; relieving the Clerk and Register of the Circuit Court of all such Counties of the duty of subscribing for, taking, filing, causing to be bound, and kept in their respective offices, copies of daily and weekly Newspapers published in the County.

By Messrs. Chesnut and Porter (with notice and proof):

H. 1500. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

By Mr. Williams:

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

By Messrs. Carnes, Waldrop and Wynot:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county commission, board of revenue, or like governing body of such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

By Mr. Casey (with notice and proof):

H. 1429. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

By Mr. Casey (with notice and proof):

H. 1428. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Carnes, Waldrop and Wynot (With Amendment):

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Casey (with notice and proof):

H. 1427. To provide for purging the lists of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

By Mr. Owens (with notice and proof):

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

By Mr. Owens (with notice and proof):

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

By Mr. Reid (R):

H. 1565. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; authorizing the county governing body to provide further for the compensation of the judge of law and equity court in such counties.

By Messrs. Chesnut and Porter (with notice and proof):

H. 1496. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

By Mr. Reid (R) (with notice and proof):

H. 1644. Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

By Mr. Fite (with notice and proof):

H. 1614. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, In Equity.

By Mr. Porter:

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

By Mr. Stubbs (with notice and proof):

H. 1477. To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

By Mr. Stubbs (with notice and proof):

H. 1479. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

By Messrs. Crawford and Connell (with notice and proof):

H. 1267. To amend Act No. 1171, Section 3, fixing the salary of Deputy District Attorney No. 1 and Deputy District Attorney No. 2 of Henry County, Alabama, and providing for payment thereof.

By Messrs. Crawford and Connell:

H. 1269. Relating to Counties having a population of not less than 13,200 nor more than 13,800 according to the most recent Federal decennial census; to grant an allowance to the Circuit Clerk of such Counties for clerical assistance.

By Messrs. Crawford and Connell:

H. 1266. Relating to counties having a population of not less than 13,200 nor more than 13,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Messrs. Crawford and Connell (with notice and proof):

H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

By Mr. Reid (R) (with notice and proof):

H. 1643. Relating to the office of the sheriff in Blount County; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

By Messrs. Chesnut and Porter (with notice and proof):

H. 1497. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

By Messrs. Gray (F) and Reed (T) (with notice and proof):

H. 1451. To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

By Mr. Grey (D):

H. 1115. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent

federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Messrs. Grey (F) and Reed (T) (with notice and proof):

H. 1453. To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

By Mr. Grey (D):

H. 1116. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Mr. Owens:

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

By Messrs. Carnes, Wynot and Waldrop:

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, provided that each such grocery store shall first obtain a special license from the license issuing officer of such county.

By Messrs. Drake, McDonald and St. John (with notice and proof):

H. 1348. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

By Mr. Fite:

H. 1642. To provide for additional compensation and method of payment of the Register In Equity of the Circuit Court of counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census.

By Mr. Mathews:

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

By Mr. Headley (with notice and proof):

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

By Mr. Headley:

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

By Mr. Headley:

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

By Mr. Robertson:

H. 752. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

By Mr. McCorquodale (with notice and proof):

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

By Mr. Casey (with notice and proof):

H. 1439. Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

By Mr. Reid (R):

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

By Messrs. Coshatt and Reid (R):

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

By Mr. Coshatt (with notice and proof):

H. 1639. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

By Messrs. Hill and Flippo:

H. 1377. Relating to the eleventh judicial circuit; providing for the annual compensation of the chief deputy district attorney of such circuit.

By Mr. Casey (with notice and proof):

H. 1437. To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

By Mr. Snell (with notice and proof):

H. 1520. Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

By Mr. Reid (R):

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; providing further for the expense allowances of members of the county commission in such counties.

By Mr. Edwards:

H. 1325. Relating to all counties having a population of not less than 24,000 nor more than 24,800 according to the most recent Federal Decennial Census: to provide for expenses to preprint motor vehicle registration assessment sheets and tag receipts not to exceed \$2,500.00 in any one year subject to the approval and appropriation by the County Governing Body.

By Mr. Edwards (with notice and proof):

H. 1326. To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

By Mr. Fite (with notice and proof):

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

By Messrs. Wise, Jackson and Barkett:

H. 1374. To abolish the drawing of special venires in capital cases in the Thirty-Third Judicial Circuit of Alabama.

By Messrs. Wise, Jackson and Barkett:

H. 1373. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-Third Judicial Circuit of Alabama.

By Messrs. Wise and Jackson:

H. 1519. Relating to all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

By Messrs. Wise and Jackson:

H. 1246. To amend Section 4 of Act No. 1789, H. 1900, Regular Session 1971 (Acts 1971, p. 2957), which act provides for the selection of the Superintendent of Education of Geneva County, so as to further provide for his traveling expense; providing retroactive effect.

By Messrs. Wise, Jackson and Barkett:

H. 1372. Relating to judicial procedure in the Thirty-Third Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

By Messrs. Bassett and Hardin (with notice and proof):

H. 1423. Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

By Messrs. Bassett and Hardin (with notice and proof):

H. 1422. Relating to Pike County, to provide that the Sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Messrs. Bassett and Hardin (with notice and proof):

H. 1421. Relating to Pike County authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

By Mr. Easters:

H. 1239. Relating to counties having a population of not less than 34,100 nor more than 34,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Messrs. Kinsey and Benton:

H. 1596. Relating to counties with a population of not less than 57,000 nor more than 61,000; prohibiting operation of vehicles upon coastal sand dunes located 50 feet or further from the water line without written permission of the landowner; providing punishment for violation of this act.

By Messrs. Lutz, King, Hearn, Hale and Grainger (with notice and proof):

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

By Messrs. Hearn, Grainger, King, Hale and Lutz (with notice and proof):

H. 1527. Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain

vaults or be so equipped as to properly provide for the storage of said documents; and to provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

By Mr. Casey (with notice and proof):

H. 1438. Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

By Messrs. Fite and Grey (D):

H. 1343. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Buttahatchee River Development Authority, for the development of the Buttahatchee River, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Buttahatchee River watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion and Lamar Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges

of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

By Mr. Owens (with notice and proof):

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

By Mr. Owens (with notice and proof):

H. 1714. To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stubbs (with notice and proof) (With Amendment):

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Burgess and Stewart:

H. 1493. Relating to the expense allowance of the members of any civil service commission in any city which has a civil service commission in any county having a population of 95,000 to 115,000.

By Messrs. Stewart, Burgess and Merrill (with notice and proof):

H. 1494. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

By Messrs. Stewart Merrill and Burgess (with notice and proof):

H. 1608. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

By Messrs. Merrill, Stewart, Casey and Burgess:

H. 1492. Providing each judge in the Seventh Judicial Circuit an annual travel expense allowance.

By Messrs. Cross and Carter:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent

federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 23, 1973, through October 1, 1973.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute and it was read a second time and placed on the calendar, to-wit:

By Mr. Stubbs (with notice and proof) (With Substitute):

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reynolds (with notice and proof):

H. 1042. To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, p. 217) entitled "To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense."

By Mr. Goodwin (with notice and proof):

H. 1611. Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Colbert County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

By Messrs. Lutz, Hearn, Grainger and King (with notice and proof):

H. 1529. To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

By Mr. Edwards (with notice and proof):

H. 1370. Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Mr. Owens (with notice and proof):

H. 1706. Relating to Bibb County; to amend Act No. 866, H 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

By Mr. Owens (with notice and proof):

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners;

to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Mr. Owens (with notice and proof):

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

By Mr. Reid (R):

H. 1564. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of the District Attorney.

By Messrs. Jackson and Wise.

H. 1490. Relating to all counties having a population of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

By Mr. Grey (D) (with notice and proof):

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

By Messrs. Hardin and Edwards:

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the second Judicial Circuit.

By Mr. Grey (D) (with notice and proof):

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

By Mr. Owens (with notice and proof):

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Messrs. Slate and Cauthen:

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

By Mr. Owens (with notice and proof):

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

By Messrs. Drake, McDonald and St. John (with notice and proof):

H. 1408. To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Com-

mission on Education, and shall provide all funds necessary to pay the costs of such garbage collection.

By Messrs. Slate and Cauthen:

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

By Messrs. Slate and Cauthen:

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

By Messrs. Slate and Cauthen:

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

By Messrs. Slate and Cauthen:

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

By Messrs. Cauthen and Slate (with notice and proof):

H. 1607. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

By Mr. Cauthen:

H. 973. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; authorizing the governing body of any such counties or any municipality within such counties to provide recreational facilities and services; to provide for the creation, establishment, maintenance, and support of a recreation board in any such county or municipality; and to provide for the duties and powers of such boards.

By Mr. Cauthen:

H. 1006. To provide further for the selection of text-books and instructional materials for use in public schools in counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census.

By Mr. Carter:

H. 1330. Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

By Mr. Stubbs (with notice and proof):

H. 1512. To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said

town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1634. Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the precincts taking applications for voter registration; to provide further for the powers, duties and compensation of such special registrars.

By Messrs. Slate and Cauthen:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

By Messrs. Crowe and Naramore:

H. 995. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

By Messrs. Crowe and Naramore:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1641. To amend Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing The Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to \$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

By Messrs. Cross and Carter:

H. 1681. Relating to counties having populations of not less than 27,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

By Messrs. Slate and Cauthen:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

By Messrs. Mims and Warren (with notice and proof):

H. 1499. Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within

such county, so as to require the address and polling place upon the list of petitioners.

By Messrs. Lutz, Grainger, Hearn, King and Hale (with notice and proof):

H. 1648. To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 1440. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Madison County.

The above bill was read a second time at length as required by the Constitution.

By Messrs. Benton and Kinsey:

H. 1698. To amend Sections 2, 4, 6, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

By Messrs. Kinsey and Benton:

H. 1434. Regulating further the compensation and meeting places of members of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census.

By Mr. Owens (with notice and proof):

H. 1719. To authorize the establishment of branch banks in Hale County.

By Messrs. Mims and Warren (with notice and proof):

H. 1498. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for violations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

By Mr. Grey (D) (with notice and proof):

H. 1609. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

By Mr. Grey (D):

H. 1183. Relating to all counties having populations of not less

than 14,000 nor more than 15,000 inhabitants, according to the most recent federal decennial census; amending Section 1 of Act No. 706, H. 989, Regular Session 1967, (Acts 1967, p. 1537), as amended, which section regulates the compensation of the county superintendent of education in said counties, so as to further regulate the compensation of said superintendent of education.

By Messrs. Carnes, Waldrop and Wynot:

H. 1548. To apply in counties having a population of not less than 90,000 nor more than 100,000; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences, seminars, meetings, and Bar Association meetings for the purpose of instruction and Continuing Legal Education.

By Mr. Jones (F):

H. 1463. Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

By Mr. Barron, et al:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 150,000 nor more than 180,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

By Mr. May:

H. 1444. Relating to counties having a population of not less than 34,875 nor more than 36,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Wilson, Cook, Hawkins, Gilmore, Dominick, King, Bailes and Vacca:

S. 796. To make a conditional appropriation for the establishment and operation of a Southern Products Merchandising Mart.

By Mr. Wilson:

S. 557. To regulate annual leave and sick leave of state merit system employees, to provide for partial payment of accrued and unused sick leave at the time of retirement of such employees.

By Mr. Wilson:

S. 559. To further amend Section 9 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), as amended, which provides for

payment of insurance costs by the state for employees of the state, so as to delete the maximum amount which may be expended for an individual employee's insurance.

By Messrs. Givhan, Foshee, Branyon, Horne, Owen, Dozier and Hawkins:

S. 794. To create in the office of the governor the position of voting consultant to the governor; to describe the duties in connection with voter registration, elections and other matters; to make an appropriation which shall be expended solely for the compensation and expenses of such consultant and for legal counsel; providing further that none of such funds shall be expended in any manner for or against the candidacy of any person for public office.

By Mr. McLain:

S. 688. To authorize the Alabama Board of Nursing to make appropriations from its funds to qualified agencies, individuals, or institutions to promote voluntary continuing education for registered nurses and Licensed Practical Nurses.

By Mr. Register:

S. 540. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for the fiscal year ending September 30, 1973.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pierce (With Amendment - Synopsis Only):

S. 393. To amend Title 13, Section 255, Code of Alabama, 1940, as amended, relating to the appointment of deputy district attorneys for the Fifteenth and Twenty-sixth Judicial Circuits of Alabama, and their salaries.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carr:

S. 706. To provide for two deputy district attorneys for the 27th judicial circuit and their compensation and appointment.

By Messrs. Fine and Malone:

S. 791. To provide for a hemophilia treatment center and making an appropriation therefor.

By Mr. Shelby:

S. 463. To authorize and provide for the establishment, operation and financing of a public defender system for the State of Alabama which will meet constitutional standards of representation of indigent defendants in both felony and misdemeanor cases; to define the powers and duties and the limitations of such public defenders; to prescribe the powers and duties of the circuit public defenders; to provide for the selection of such public defenders and personnel within the office of

public defender; to provide for the terms of employment of such public defenders; to make the necessary appropriations; to prescribe the composition and purpose of the Public Defender Fund; to create and establish the Public Defender Commission and the Circuit Advisory Boards, and to prescribe the composition, powers and duties of such bodies; to permit circuits to maintain separate systems of providing counsel to indigents; and to repeal conflicting laws.

By Messrs. Cook, Vacca, King, Hawkins, Dominick, Gilmore, Givhan and Bailes:

S. 674. To provide a state scholarship program to promote the education of graduate nurses at the School of Nursing of the University of Alabama, Birmingham, and making appropriations therefor.

By Messrs. Harris and Clark:

S. 735. To amend Section 29, Title II, Code of Alabama, 1940, relating to the fees of probate judges.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1229. To provide for Supernumerary Judges of the County Courts in the various counties of the State of Alabama having a population of more than 150,000 and less than 180,000 according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 722. To regulate further the compensation of registrars in Houston County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1470. To amend the title and Section 1 of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2906) so as to further provide for expense allowances for certain officials in counties having a population of not less than 36,500 nor more than 39,200.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1066. To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1398. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 918. Relating to all counties having a population of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census; to provide for the compensation of the county superintendent of education; and providing a retroactive effect therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 659. To amend Section 2 of Act No. 137, H. 563, Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances; and providing a retroactive effect therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 820. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of five (5) Directors for the county transit authority provided for by said Act, to provide for the appointment of one director of such authority by each of the three largest participating municipalities in such county, to provide for the initial terms of office of such Directors, to provide for the termination of the term of office of the directors of any existing authority and the election of new directors for such authority, and to provide for the dissolution of such authority and the disposition of its property.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and sends same herewith to the Senate:

S. 179. Relating to counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 288. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of all deputies employed in the sheriff's department and for the compensation of the chief deputy.

Also:

S. 289. To amend Section 1 of Act No. 121, H. 22, Regular Session 1971 (Acts 1971, p. 204), which act fixes the fee for the issuance of pistol permits by the sheriff and for the disposition and use of such fees in certain counties classified on a population basis.

Also:

S. 294. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

Also:

S. 388. Relating to Choctaw County; providing for the payment to the Judge of Probate or Juvenile Court Judge of Choctaw County for expenses of attending conferences of Judges of Probate or Juvenile Court Judges.

Also:

S. 290. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of circuit court bailiffs.

Also:

S. 389. Relating to Choctaw County; providing the authority for the Judge of Probate, Choctaw County, Alabama to appoint his deputies or clerks to solemnize matrimony.

Also:

S. 476. To regulate further the compensation of the associate members and chairman of the Choctaw County Commission; to repeal conflicting laws and to repeal specifically the following laws and all amendments thereto: Act No. 164, S. 361, 1971 Regular Session (Acts 1971, p. 2511); Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796); and Act No. 307, H. 734, Regular Session 1949 (Acts 1949, p. 440); and to provide for the effective date of this act.

Also:

S. 477. Relating to Choctaw County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Also:

S. 478. To provide that the Sheriff of Choctaw County, Alabama, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Also:

S. 479. Relating to Choctaw County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING

The Bill:

H. 322. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendments to the Bill, H. B. 322, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend Section 4 (J) of House Bill 322, as follows:

Strike the figure "\$16,325,481.00" for the fiscal year ending September 30, 1974, and insert the figure; "\$17,075,481.00."

Strike the figure "\$17,969,252.00" for the fiscal year ending September 30, 1975, and insert the figure; "\$18,719,252.00."

COMMITTEE AMENDMENT TO H. B. 322

In Section 27. BOARD OF TRUSTEES OF TROY STATE UNIVERSITY:, at the end of the item for the fiscal year ending September 30, 1974, strike out the numbers "4,335,008.00" and insert in lieu thereof the numbers: 4,035,008.00.

Also, in the same section, at the end of the item for the fiscal year ending September 30, 1975, strike out the numbers "4,477,931.00" and insert in lieu thereof the numbers: 4,177,931.00.

Also, in the same section, immediately following the item for the fiscal year ending September 30, 1975, insert as additional items, the following:

For operation and maintenance at Maxwell Air Force Branch	150,000.00
For operation and maintenance at Fort Rucker Branch	150,000.00

COMMITTEE AMENDMENT TO H. B. 322

Amend House Bill 322, in Section 4, Subsection N, (b) and (c) on Page 7, by deleting all of said subsections (b) and (c) as they appear therein and insert in lieu thereof the following:

-7-

"(b) In addition to the appropriations hereinabove made to the Minimum Program Fund, there is hereby appropriated five million dollars (\$5,000,000.00) for the fiscal year ending September 30, 1975, conditional upon the condition of the Alabama Special Education Trust Fund and the approval of the Governor.

"(c) It is provided that from the appropriation hereinabove made the State Board of Education shall allocate and pay from said appropriations not less than five hundred (500) additional teacher units for the program for exceptional children. Five hundred (500) teacher units are to be allocated for fiscal year ending September 30, 1974. An additional five hundred (500) teacher units are to be allocated for the fiscal year ending September 30, 1975, conditional upon the payment of the conditional appropriation contained herein. Twenty-five (25) of the teacher units appropriated may be used in early education programs for exceptional children and twenty-five (25) teacher units may be used in regional multi-system, and/or statewide programs for exceptional children during each year of the biennium.

"It is provided that beginning with the fiscal year 1973-74, that in addition to the salary now received, and all other increments due, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than one thousand one hundred sixty dollars (\$1,160.00) per annum; Rank II teachers not less than one thousand dollars (\$1,000.00) per annum; Rank III teachers not less than eight hundred eight dollars (\$808.00) per annum; Rank IV teachers not less than six hundred eighty-one dollars (\$681.00) per annum; teachers holding Rank AA Certificates shall be paid six hundred dollars (\$600.00) per annum above the total amount paid to Rank I teachers with like experience; and any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund. Said county or city school board shall not pay the aforementioned raise to any teacher who participates in, encourages or condones any mass truancy even for a single day, or any extra-curricular demonstration which is not approved by the City, County or State Board of Education and said teacher shall forfeit the aforementioned increase for that particular year. The State Board of Education may review the action of any System, City or County and require the forfeiture and may withhold said amount from appropriations to the said City or County School Board and said teacher or may review and direct payment to said teacher. It is further provided, that in addition to the salary now received, all school bus drivers shall receive a salary increase of not less than five per centum (5%) per annum, and any county or city board of education failing to comply herewith shall not be entitled to share in the Minimum Program Fund.

"It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce during the biennium the number of teachers it employed with local funds during the school year 1972-73 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State Department of Education such information as may be necessary to determine that the provisions of this section have been implemented.

"Where additional teacher units are allocated under the Minimum Program Fund for exceptional children during the biennium ending September 30, 1975, not less than eight hundred dollars (\$800.00) per teacher unit will be provided from the absolute and conditional appropriations hereinabove for the purpose of purchasing instructional material, classroom instructional equipment and the testing of children for the initial year of operation. All existing and additional teacher units for exceptional children funded with Minimum Program Funds are to receive not less than four hundred dollars (\$400.00) per teacher unit of other current expenses for the purpose of purchasing instructional materials, classroom instructional equipment and the testing of children housed in public or nonpublic schools.

"(d) In addition to the appropriations hereinabove made to the Minimum Program there is hereby appropriated funds for two (2) days personal leave for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave.

For the fiscal year ending September 30, 1974	750,000.00
For the fiscal year ending September 30, 1975	750,000.00"

FINANCE & TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend House Bill 322 in Section 32, on page 21 by adding the following subsection (10):

"(10) Minimum Program Fund:

Exceptional Teacher Units (500)

For the fiscal year ending September 30, 1975\$5,000,000.00"

FINANCE & TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend House Bill 322, in Section 4, Page 8, by re-numbering Sub-section "P" to read Sub-section "S"; re-number sub-section "Q" to read sub-section "T"; re-number sub-section "S" to read sub-section "U"; re-number sub-section "T" to read sub-section "V"; re-number sub-section "U" to read sub-section "W".

Further amend said substitute in section 4 by re-numbering sub-section "R" to read sub-section "P" and add the following sub-sections "Q" and "R" as follows:

- "Q. The establishment and operation of a statewide Instructional Materials Center for exceptional children50,000.00"
- "R. Purchase of special instructional equipment for severely disabled children50,000.00"

FINANCE & TAXATION COMMITTEE AMENDMENT TO H. B. 322

Amend House Bill 322 by adding immediately following Section 32 on page 21 of the bill the following:

"Section 33. SOUTHERN UNION STATE JUNIOR COLLEGE:

For operation and maintenance of a branch extension at Phenix City, Alabama250,000.00"

Further amend the bill by re-numbering the remaining sections in sequence.

FINANCE & TAXATION COMMITTEE AMENDMENT TO H. B. 322

Amend House Bill 322 by adding in Section 4, on page 8, following sub-section S (Vocational Education) the following paragraphs:

"The appropriation hereinabove shall be disbursed or obligated during the specified fiscal year in accordance with a formula adopted by the State Board of Education. The total allocation of funds to each county and city board of education from the hereinabove appropriation when combined with Federal Vocational Funds shall be at least equal to the amount received by the respective board during the preceeding fiscal year and in addition thereto, a sum equal to the percentage equivalency provided for in the Minimum Program salary increase contained in Section 4 Paragraph N (b). In the event pro-rata should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his pro rata share under the adopted State Board of Education formula.

Any funds appropriated hereinabove in excess of the preceeding fiscal year's distribution and in excess of the percentage salary equivalency under the Minimum Program provision shall be allocated by priorities to those boards that have less than their entitlement."

COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend H. B. 322 by adding in Section 32, Sub-section 10 on page 21 to read:

Vocational Education

For the fiscal year ending September 30, 19743,990,000.00

For the fiscal year ending September 30, 19752,000,000.00

FINANCE & TAXATION COMMITTEE AMENDMENT TO H. B. 322

Amend House Bill 322 by striking Section 4, subsection T, page 9, in its entirety and inserting in lieu thereof the following:

"T. State Vocation Technical School Equalization Account:

For the operations and maintenance of the Vocational Technical Schools listed below, to be dis-

tributed in accordance with a formula adopted by
the State Board of Education

For the fiscal year ending September 30, 1974.....13,500,000.00

For the fiscal year ending September 30, 1975.....14,500,000.00

The above appropriation is to be distributed to the following Vocational Technical Schools: (1) Alabama Institute of Aviation Technology; (2) Alabama School of Trades; (3) Harry M. Ayers; (4) Bessemer State; (5) John C. Calhoun; (6) Carver State; (7) J. F. Drake; (8) Gadsden; (9) Hobson; (10) Douglas MacArthur; (11) Muscle Shoals; (12) Northwest Alabama; (13) N. F. Nunnelle; (14) Opelika State; (15) John M. Patterson; (16) Ed E. Reid; (17) Shelton State; (18) Southwest State; (19) Chauncy Sparks; (20) Council Trenholm State; (21) Tuscaloosa; (22) Walker County; (23) George C. Wallace, Cullman; (24) George C. Wallace, Dothan; (25) George C. Wallace, Selma; (26) Wenonah"

FINANCE & TAXATION COMMITTEE AMENDMENT TO H. B. 322

Amend H. B. 322 by striking from Section 13 on page 14 of the bill following the fiscal year ending September 30, 1974, the figure "3,595,820.00" and insert in lieu thereof the figure "3,745,820.00."

Further amend the bill by striking from Section 13 on page 14 of the bill following the fiscal year ending September 30, 1975, the figure "3,760,902.00" and insert in lieu thereof the figure "3,960,902.00."

FINANCE & TAXATION COMMITTEE AMENDMENT TO H. B. 322

To amend House Bill 322 by adding to Subsection B of Section 28, pertaining to the fiscal year ending September 30, 1974, the following:

"(15) For Public Service, Research and Extension.....200,000.00"

To further amend House Bill 322 by adding to Subsection B of Section 28, pertaining to the fiscal year ending September 30, 1975, the following:

"(15) For Public Service, Research and Extension.....200,000.00"

FINANCE & TAXATION COMMITTEE AMENDMENT TO H. B. 322

Amend House Bill 322 by striking therefrom the whole of Section 16, Board of Trustees of Jacksonville State University, and inserting in lieu thereof the following:

"Section 16. BOARD OF TRUSTEES OF JACKSONVILLE STATE UNIVERSITY.

For the fiscal year ending September 30, 1974:

For operation and maintenance of the University.....5,644,440.00

For School of Nursing Scholarships 18,000.00

(To be expended in accordance with Act No. 2288,
1971 Regular Session.)

For Gadsden Program 215,166.00

For the fiscal year ending September 30, 1975:

For operation and maintenance of the University.....5,862,826.00

For School of Nursing Scholarships 18,000.00

(To be expended in accordance with Act No. 2288,
1971 Regular Session.)

For Gadsden Program 215,166.00

COMMITTEE AMENDMENT TO H. B. 322

Amend House Bill 322 by deleting Section 32. (1) on Page 21 and adding in lieu thereof the following:

"SECTION 32.

(1) Auburn University

(a) Operation and maintenance	700,000.00
(b) Agricultural Experiment Station System	350,000.00
(c) Cooperative Extension Service	300,000.00"

COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend House Bill 322, by adding Section 5. E. on Page 11 to include the following:

"Section 5. Board of Trustees of Auburn University:

E. Center for Vocational and Adult Education:

For the fiscal year ending September 30, 1974.....	225,000.00
For the fiscal year ending September 30, 1975.....	495,000.00"

COMMITTEE AMENDMENT TO H. B. 322

Amend House Bill 322, Section 5, Subsection "D" on Page 11 by changing the figures \$2,009,766.00 to read \$2,159,766.00 and change the figures \$2,291,133.00 to read \$2,541,113.00.

COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend House Bill 322 by deleting from Section 32 on page 21 of the bill the whole of sub-section (7) and insert in lieu thereof the following:

"(7) University of Alabama—Birmingham:

The University College:

For operation and maintenance	350,000.00
For the Center for Vocational and Adult Teacher Education	225,000.00

COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend H. B. 322 by striking section 20 on page 16 of the bill and adding in lieu thereof the following:

"Board of Trustees of University of Montevallo:

(a) For the fiscal year ending September 30, 1974:

For operation and maintenance of the University....	\$2,937,127.00
For operation and maintenance of a school for Aphasic Children	127,032.00
For operation and maintenance of a Highway Safety Program	100,000.00

For the fiscal year ending September 30, 1975:

For operation and maintenance of the University....	2,994,815.00
For operation and maintenance of a School for Aphasic Children	132,113.00

For operation and maintenance of a Highway Safety program	100,000.00
(b) For operation and maintenance conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor	250,000.00"

FINANCE & TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend House Bill 322 by deleting House Amendment Number two (2) in its entirety.

FINANCE & TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend H. B. 322 on page 21 by striking out Section 32 (4) in its entirety and re-numbering the subsequent subsections.

FINANCE & TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend H. B. 322, Section 4, by adding Subsection U.

(U) In addition to the appropriations hereinabove made to the Minimum Program (Subsection (N) and Vocational Education (Subsection S) in grades 1-12 there is hereby appropriated the sum of one hundred twenty-four dollars (\$124) per annum per teacher, administrative or supervisory unit as allocated under the Minimum Program and the Vocational Education Program to provide hospital-medical insurance assistance. These funds shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in a fiscal year shall revert to the Alabama Special Educational Trust Fund.

For the fiscal year ending September 30, 1974	\$3,978,554
For the fiscal year ending September 30, 1975	\$4,013,274

FINANCE & TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 322

Section 3 (k) is hereby amended to read as follows:

k. For Regional Technical Institute:

For the fiscal year ending September 30, 1974	\$609,000
For the fiscal year ending September 30, 1975	\$663,000

FINANCE & TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend Section 32 (3), page 21, by striking \$200,000.00 and substituting \$700,000.00.

FINANCE & TAXATION COMMITTEE AMENDMENT TO HOUSE BILL 322

Amend House Bill 322 by deleting Item 2 of Section 32, Page 21, and substituting in lieu thereof the following:

(2) The University of Alabama—University, Alabama

a. Operation and Maintenance	\$500,000
b. Extension, Public Service and Research	\$300,000
c. State Mine Experiment Station—	
Mineral Resources Institute	\$300,000

FINANCE AND TAXATION COMMITTEE AMENDMENT TO
HOUSE BILL 322

Amend House Bill 322 by adding to Section 28, A, Page 19, the following subsection:

(7) College of Community Health Sciences, for Resident
stipends and training of Professional Personnel

For the fiscal year ending September 30, 1974.....\$275,000.00

For the fiscal year ending September 30, 1975.....\$400,000.00

On motion of Mr. Harris, said amendments were laid on the table.

Mr. Harris offered the following substitute for the Bill, H. B. 322, to-wit:

HARRIS SUBSTITUTE FOR H. B. 322

A BILL
TO BE ENTITLED
AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

Be It Enacted by the Legislature of Alabama:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions, including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rental and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor vehicle equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes. The amount herein appropriated for "equipment purchases" and "automotive equipment purchases" shall be decreased by the amount of the sale, trade-in or exchange of the items of equipment purchases and automotive equipment purchases as described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of

State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriations.

Section 2. The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for each of the two fiscal years ending September 30, 1974, and September 30, 1975, respectively; and, except as may be otherwise expressly provided, the appropriations herein made shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama 1940) and shall be in the amounts specified in said sections.

Section 3. DEPARTMENT OF EDUCATION:

A. For the Department of Education:

For the fiscal year ending
September 30, 1974:

For the salary of the State Superintendent	23,500.00
For other salaries	931,263.00
For operation and maintenance of Teacher Training and Certification	200,000.00
For other expenses	149,200.00
For rental expense	98,058.00
For equipment purchases	33,622.00
For transfer to State Personnel Department	22,300.00

Total 1,457,943.00

For the fiscal year ending
September 30, 1975:

For the salary of the State Superintendent	23,500.00
For other salaries	1,015,769.00
For operation and maintenance of Teacher Training and Certification	200,000.00
For other expenses	162,080.00
For rental expense	475,000.00
For equipment purchases	39,670.00
For transfer to State Personnel Department	22,300.00

Total 1,938,319.00

B. Department of Education In-Service Training 1,000,000.00

C. For Adult Basic Education:

To be used to match Federal funds for a removal
of illiteracy program:

For the fiscal year ending September 30, 1974	150,000.00
For the fiscal year ending September 30, 1975	160,000.00

D. Civil Defense Survival Plan:

For salaries and other expenses only, in the oper-
ation of the Civil Defense Survival Plan:

For the fiscal year ending September 30, 1974	13,797.00
For the fiscal year ending September 30, 1975	14,487.00

E. Coordination of In-School Television Program:		
For the fiscal year ending September 30, 1974:		
For salaries	61,212.00	
For other expenses	13,500.00	
For equipment purchases	2,500.00	
Total		77,212.00
For the fiscal year ending September 30, 1975:		
For salaries	64,280.00	
For other expenses	13,500.00	
For equipment purchases	2,500.00	
Total		80,280.00
F. For Driver Education and Transportation:		
For the fiscal year ending September 30, 1974:		
For salaries	162,610.00	
For other expenses	58,806.00	
For equipment purchases	600.00	
Total		222,016.00
For the fiscal year ending September 30, 1975:		
For salaries	178,871.00	
For other expenses	64,687.00	
For equipment purchases	660.00	
Total		244,218.00
G. Drug Education Program:		
For the necessary education on drug abuse:		
For salaries and expenses	98,500.00	
For equipment purchases	1,500.00	
Total		100,000.00
H. For matching federal funds available under the provisions of the Man-power Development Training Act:		
For the fiscal year ending September 30, 1974		100,000.00
For the fiscal year ending September 30, 1975		150,000.00
I. National Defense Education Program:		
For the fiscal year ending September 30, 1974		194,262.00
For the fiscal year ending September 30, 1975		213,689.00
J. To the Department of Education for Plans and Surveys:		
For the fiscal year ending September 30, 1974:		

For salaries	49,680.00	
For other expenses	5,280.00	
Total		54,960.00
For the fiscal year ending September 30, 1975:		
For salaries	54,648.00	
For other expenses	5,808.00	
For equipment purchases	600.00	
Total		61,056.00
K. For Regional Technical Institute		300,000.00
Section 4. STATE BOARD OF EDUCATION:		
A. Agricultural and Mechanical University:		
For the operation and maintenance of the University:		
For the fiscal year ending September 30, 1974	3,825,731.00	
For the fiscal year ending September 30, 1975	3,919,021.00	
B. For Atmore Trade School:		
For operation and maintenance:		
For the fiscal year ending September 30, 1974	123,468.00	
For the fiscal year ending September 30, 1975	200,000.00	
C. Alabama State University:		
For the operation and maintenance of the University at Montgomery:		
For the fiscal year ending September 30, 1974	3,804,796.00	
For the fiscal year ending September 30, 1975	3,975,744.00	
D. Civilian Rehabilitation:		
For the fiscal year ending September 30, 1974:		
For the vocational rehabilitation of handicapped individuals	3,317,702.00	
For the Governor's Committee on Employment of Handicapped	20,000.00	
For rehabilitation and continuing care of spinal cord injured and other severely physically handi- capped individuals	400,000.00	
Total		3,737,702.00
For the fiscal year ending September 30, 1975:		
For the vocational rehabilitation of handicapped individuals	3,317,702.00	
For the Governor's Committee on Employment of Handicapped	20,000.00	
For rehabilitation and continuing care of spinal cord injured and other		

severely physically handicapped individuals	400,000.00	
Total		3,937,702.00
E. For Compact for Education		10,500.00
(To be expended in accordance with Act No. 1143, 1969 Regular Session.)		
F. For Driver Education:		
For the fiscal year ending September 30, 1974	2,919,966.00	
For the fiscal year ending September 30, 1975	3,851,122.00	
G. Elementary Teachers Scholarship Fund		25,000.00
H. Free Textbooks:		
For the fiscal year ending September 30, 1974:		
For salaries	48,000.00	
For other expenses	36,657.00	
For disbursements to Local Boards	57,750.00	
For equipment purchases	1,200.00	
For the repair of used and the purchase of new textbooks	4,705,393.00	
For Operation of Course Study Commission	5,000.00	
Total		4,854,000.00
For the fiscal year ending September 30, 1975:		
For salaries	52,800.00	
For other expenses	37,775.00	
For disbursements to Local Boards	60,637.00	
For equipment purchases	1,000.00	
For the repair of used and the purchase of new textbooks	4,842,788.00	
For Operation of Course Study Commission	5,000.00	
Total		5,000,000.00
I. Alabama High School of Fine Arts:		
For operation and maintenance:		
For the fiscal year ending September 30, 1974	120,000.00	
For the fiscal year ending September 30, 1975	126,000.00	
The above appropriation is to carry out the pro- visions of HJR 145 of the 1971 Regular Session.		
J.(a) Junior College Equalization Account:		
For operation and maintenance of the Junior Col- leges listed below, to be distributed on a form- ula adopted by the State Board of Education:		
For the fiscal year ending September 30, 1974	16,852,481.00	
For the fiscal year ending September 30, 1975	18,969,252.00	

(The above appropriation is to be distributed to the following Junior Colleges: (1) Alexander City; (2) Albert P. Brewer; (3) John C. Calhoun; (4) Enterprise State; (5) James H. Faulkner; (6) Gadsden; (7) Jefferson Davis; (8) Jefferson State; (9) Theodore Alfred Lawson; (10) Mobile State; (11) Northeast; (12) Northwest; (13) Patrick Henry; (14) Snead State; (15) Southern Union; (16) George C. Wallace (Napier Field); (17) George C. Wallace (Selma); (18) Lurleen B. Wallace State.)

Of the above appropriations contained herein in Section 4, paragraph J not more than the sum of \$150,000.00 for the fiscal year ending September 30, 1974, and not more than the sum of \$175,000.00 for the fiscal year ending September 30, 1975, may be used by the State Board of Education for administration of the state junior college program.

- | | |
|---|------------|
| (b) For a junior college at Phenix City | 250,000.00 |
| K. J. F. Ingram Vocational Technical School: | |
| For the operation and maintenance of a
Vocational Technical School | 200,000.00 |
| L. State Mental Health Department: | |
| For salaries, other expenses and equipment purchases necessary to operate schools at Alabama State Hospitals: | |
| For the fiscal year ending September 30, 1974 | 40,125.00 |
| For the fiscal year ending September 30, 1975 | 50,125.00 |
| M. State Mental Health Department: | |
| For salaries, other expenses and equipment purchases necessary to operate a school at Partlow State School: | |
| For the fiscal year ending September 30, 1974 | 281,022.00 |
| For the fiscal year ending September 30, 1975 | 316,000.00 |
| N. Minimum Program Fund: | |

(a) In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1974, the sum of \$302,919,589.00 and for the fiscal year ending September 30, 1975, the sum of \$301,919,589.00 to be known as the Minimum Program Fund, which in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided, that so much thereof as may be necessary of the above appropriations for each year shall be used by the State Board of Education to provide for additional teacher units for each school system in the State which on the basis of current school attendance shall be entitled to additional teacher units over the number allowed based on the year immediately preceding said current year; provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided

further, that the amount herein appropriated for the Minimum Program Fund shall include all moneys earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund. Provided, that all funds herein appropriated for transportation of students including, but not limited to, those amounts recommended for transportation in the Governor's budget recommendations for the minimum program fund are conditional upon the approval of the Governor who may authorize the release of all such funds or such amounts as he deems necessary.

(b) In addition to the appropriations hereinabove made to the Minimum Program Fund, there is hereby appropriated five million dollars (\$5,000,000.00) for the fiscal year ending September 30, 1975, conditional upon the condition of the Alabama Special Educational Trust Fund and the approval of the Governor.

(c) It is provided that from the appropriations hereinabove made the State Board of Education shall allocate and pay from said appropriations not less than five hundred (500) additional teacher units for the program for exceptional children. An additional five hundred (500) teacher units are to be allocated for the fiscal year ending September 30, 1975, conditional upon the payment of the conditional appropriation contained herein. Twenty-five (25) of the teacher units appropriated may be used in early education programs for exceptional children and twenty-five (25) teacher units may be used in regional multi-system, and/or statewide programs for exceptional children during each year of the biennium.

Where teacher units are allocated under the Minimum Program Fund for exceptional children, not less than four hundred dollars (\$400.00) per teacher unit of other current expenses must be given to the ultimate receiving unit for the purpose of purchasing teacher aids and other materials necessary for the teaching of these children.

It is provided that beginning with the fiscal year 1973-74, that in addition to the salary now received, and all other increments due, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than one thousand one hundred sixty dollars (\$1,160.00) per annum; Rank II teachers not less than one thousand dollars (\$1,000.00) per annum; Rank III teachers not less than eight hundred eight dollars (\$808.00) per annum; Rank IV teachers not less than six hundred eighty-one dollars (\$681.00) per annum; teachers holding Rank AA Certificates shall be paid six hundred dollars (\$600.00) per annum above the total amount paid to Rank I teachers with like experience; and any county or city board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund. Said county or city school board shall not pay the aforementioned raise to any teacher who participates in, encourages or condones any mass truancy even for a single day, or any extra-curricular demonstration which is not approved by the City, County or State Board of Education and said teacher shall forfeit the aforementioned increase for that particular year. The State Board of Education may review the action of any System, City or County and require the forfeiture and may withhold said amount from appropriations to the said City or County School Board and said teacher or may review and direct payment to said teacher. It is further provided, that in addition to the salary now received, all school bus drivers shall receive a salary increase of not less than five per centum (5%) per annum, and any county or city board of education failing to comply

herewith shall not be entitled to share in the Minimum Program Fund.

It is provided that in addition to all units earned by the local school system under the Minimum Program Fund calculation one (1) extra unit or fraction thereof shall be awarded for each aggregate of fifteen (15) units or fraction thereof earned in said Minimum Program Fund calculation. The local school system shall assign to each school within the system at least the number of teacher units earned by that school using the Minimum Program calculation and the additional units earned through the one (1) to fifteen (15) ratio as set forth herein. No school system may reduce during the biennium the number of teachers it employed with local funds during the school year 1972-73 except in instances where all schools within the system are accredited or have met every requirement of accreditation with respect to teacher/pupil ratios. The local school system shall furnish the State Department of Education such information as may be necessary to determine that the provisions of this section have been implemented.

(d) In addition to the appropriations hereinabove made to the Minimum Program there is hereby appropriated funds for two (2) days personal leave for each teacher earned under the Minimum Program formula to be granted upon request of the teacher and administered by the State Board of Education and by local school boards under procedures governing sick leave.

For the fiscal year ending September 30, 1974.....	750,000.00
For the fiscal year ending September 30, 1975.....	750,000.00

(e) In addition to the appropriations hereinabove made to the Minimum Program (Subsection N) and Vocational Education (Subsection U) in grades 1-12 there is hereby appropriated the sum of one hundred twenty-four dollars (\$124.00) per annum per teacher, administrative or supervisory unit as allocated under the Minimum Program and the Vocational Education Program to provide hospital-medical insurance assistance. These funds shall be made available to local boards of education with a majority of the local participating professional employees selecting the plan(s) and the carrier(s) of the hospital-medical insurance in that system. Any funds not used in a fiscal year shall revert to the Alabama Special Educational Trust Fund.

For the fiscal year ending September 30, 1974.....	3,978,554.00
For the fiscal year ending September 30, 1975.....	4,013,274.00

On or before January 1, 1974 and January 1, 1975, each local board shall report in writing to the State Superintendent of Education, Legislative Council and the Governor on the manner on which the foregoing has been implemented.

O. Minimum Program Account:

Trainable Retarded Children,

For the fiscal year ending
September 30, 1974:

For salaries	84,200.00
For other expenses	7,330.00
For distribution to Local Board	433,470.00
For Special Education	360,000.00

Total	885,000.00
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For the fiscal year ending
September 30, 1975:

For salaries	89,120.00
For other expenses	8,063.00
For distribution to Local Boards	441,817.00
For Special Education	396,000.00
Total	935,000.00

The appropriation hereinabove made for salaries and other expenses shall be expended by the State Board of Education for the cost incurred by the State Department of Education in the administration of this program. The appropriation hereinabove made for disbursement to local boards shall be used for the education and training of trainable retarded children and shall include the operation and maintenance of classrooms, classes, transportation of trainable retarded pupils where justified, and compensation of teachers in accordance with Act No. 67, approved June 27, 1963, in accordance with the regulations of the State Board of Education and in accordance with Act No. 249, approved August 16, 1955. The appropriation for Special Education is the same appropriation as set out in Act No. 67, approved June 27, 1963, and shall be expended in accordance with that Act.

P. Physical Restoration of Crippled Children:

Handicapped Individuals:

For the fiscal year ending September 30, 1974	2,126,029.00
For the fiscal year ending September 30, 1975	2,441,459.00

Q. The establishment and operations of a statewide Instructional Materials Center for exceptional children

50,000.00

R. Purchase of special instructional equipment for severely disabled children

50,000.00

S. For Regional Education

123,250.00

T. For Training Teachers of Exceptional Children

250,000.00

U. Vocational Education:

For the fiscal year ending
September 30, 1974:

For salaries	64,200.00
For other expenses	33,770.00
For rental expense	8,250.00
For equipment purchases	1,650.00
Disbursements to Local Boards and Institutions	17,211,911.00

Total 17,319,861.00

For the fiscal year ending
September 30, 1975:

For salaries	70,620.00
For other expenses	35,459.00
For rental expense	8,663.00
For equipment purchase	1,733.00
Disbursement to Local Boards and Institutions	19,000,344.00

Total 19,116,819.00

The appropriation hereinabove shall be disbursed or obligated during the specified fiscal year in accordance with a formula adopted by the State Board of Education. The total allocation of funds to each

county and city board of education from the hereinabove appropriation when combined with Federal Vocational Funds shall be at least equal to the amount received by the respective board during the preceding fiscal year and in addition thereto, a sum equal to the percentage equivalency provided for in the Minimum Program salary increase contained in Section 4, Paragraph N (b). In the event proration should become necessary due to the loss of Federal Vocational Funds, each local board shall be reduced by his prorata share under the adopted State Board of Education formula.

Any funds appropriated hereinabove in excess of the preceding fiscal year's distribution and in excess of the percentage salary equivalency under the Minimum Program provision shall be allocated by priorities to those boards that have less than their entitlement.

(b) For Industrial Development Training 1,300,000.00

V. State Vocational Technical School
Equalization Account:

For the operations and maintenance of the Vocational Technical Schools listed below, to be distributed in accordance with a formula adopted by the State Board of Education:

For the fiscal year ending September 30, 1974..... 12,710,297.00

For the fiscal year ending September 30, 1975..... 13,190,708.00

The above appropriation is to be distributed to the following Vocational Technical Schools: (1) Alabama Institute of Aviation Technology; (2) Alabama School of Trades; (3) Harry M. Ayers; (4) Bessemer State; (5) John C. Calhoun; (6) Carver State; (7) J. F. Drake; (8) Gadsden; (9) Hobson; (10) Douglas MacArthur; (11) Muscle Shoals; (12) Northwest Alabama; (13) N. F. Nunnelle; (14) Opelika State; (15) John M. Patterson; (16) Ed E. Reid; (17) Shelton State; (18) Southwest State; (19) Chauncey Sparks; (20) Council Trenholm State; (21) Tuscaloosa; (22) Walker County; (23) George C. Wallace, Cullman; (24) George C. Wallace, Dothan; (25) George C. Wallace, Selma; (26) Wenonah.

Of the above appropriations contained herein in Section 4, Paragraph V not more than the sum of \$150,000.00 for the fiscal year ending September 30, 1974, and not more than the sum of \$175,000.00 for the fiscal year ending September 30, 1975, may be used by the State Board of Education for administration of the state vocational technical school program.

Section 5. BOARD OF TRUSTEES OF
AUBURN UNIVERSITY

A. The College:

(1) For operation and maintenance:

For the fiscal year ending September 30, 1974.... 20,359,260.00

For the fiscal year ending September 30, 1975.... 21,269,713.00

(2) Engineering Experiment Station:

For the fiscal year ending September 30, 1974.... 380,463.00

For the fiscal year ending September 30, 1975 ... 395,774.00

(3) Television Education:

For the fiscal year ending September 30, 1974 ... 257,799.00

For the fiscal year ending September 30, 1975 ... 260,489.00

B. Extension Work for Agriculture and Home Economics:

For advising, demonstrating and informing people of Alabama in agricultural, farm and home pursuits, and other extension services:

For the fiscal year ending September 30, 1974..... 3,848,209.00

For the fiscal year ending September 30, 1975..... 3,950,334.00

For Rural Resources Development Program:

For the fiscal year ending September 30, 1974..... 226,908.00

For the fiscal year ending September 30, 1975..... 236,015.00

The appropriation herein made for the Extension Service shall be expended under the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

C. Agriculture Research:

(1) Alabama Agricultural Experiment Station at Auburn, for work and experimentation:

For the fiscal year ending September 30, 1974.... 3,647,746.00

For the fiscal year ending September 30, 1975.... 3,745,799.00

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (C) shall be carried out under the supervision of the Director of the Agricultural Experiment Station System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for each of the fiscal years ending September 30, 1974 and September 30, 1975.

The funds provided in this sub-section (C) shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production, marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion, for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for researches and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture;

and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

D. Auburn University—Montgomery, Alabama:

For operation and maintenance:

For the fiscal year ending September 30, 1974..... 2,009,766.00

For the fiscal year ending September 30, 1975 2,291,133.00

Section 6. BOARD OF TRUSTEES OF ALABAMA
BOYS' INDUSTRIAL SCHOOL:

For the operation and maintenance of the Alabama

Boys' Industrial School 880,000.00

Section 7. BOARD OF TRUSTEES OF ALABAMA
INSTITUTE FOR DEAF AND BLIND:

(a) For operation and maintenance of the school:

For the fiscal year ending September 30, 1974 2,144,431.00

For the fiscal year ending September 30, 1975..... 2,189,928.00

(b) For salaries and expenses incident to instruction
of Adult Blind and for operation of the Trade
School at the Institute:

For the fiscal year ending September 30, 1974 858,285.50

For the fiscal year ending September 30, 1975 630,695.50

Section 8. DEBT SERVICE:

(1) For the payment of principal and interest due on
bonds issued by Auburn University (Alabama
Polytechnic Institute) pursuant to Constitutional
Amendment No. CXX,

For the fiscal year ending September 30, 1974 306,095.00

For the fiscal year ending September 30, 1975 307,720.00

(2) For the payment of principal and interest due on
bonds issued by the University of Alabama pur-
suant to Constitutional Amendment No. CXIX,

For the fiscal year ending September 30, 1974 306,095.00

For the fiscal year ending September 30, 1975 307,720.00

(3) For the payment of principal and interest due on
bonds issued by the University of Alabama Re-
search Institute pursuant to Constitutional
Amendment No. CLVII,

For the fiscal year ending September 30, 1974 201,200.00

For the fiscal year ending September 30, 1975 201,769.55

(4) Interest on Endowments:

For the fiscal year ending

September 30, 1974:

For interest on University of Monte-
vallo (Alabama College) Endow-
ment, estimated

42,000.00

For interest on Auburn University
Endowment

20,280.00

For interest on University of Alabama Endowment	61,000.00	
For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowment:		
Interest on 16th Section lands, estimated	275,000.00	
Interest on School Indemnity, lands, estimated	62,135.81	
Interest on Valueless 16th Section lands	5,825.47	
Interest on Surplus Revenue	26,763.47	
Interest on James Wallace Fund	275.25	
Total		493,880.00

For the fiscal year ending
September 30, 1975:

For interest on University of Montevallo (Alabama College) Endowment, estimated	42,000.00	
For interest on Auburn University Endowment	20,280.00	
For interest on University of Alabama Endowment	61,000.00	
For interest on Grove Hill Endowment	600.00	
For interest on Public School Fund Endowment:		
Interest on 16th Section Lands, estimated	280,000.00	
Interest on School Indemnity lands, estimated	67,135.81	
Interest on Valueless 16th Section lands	5,825.47	
Interest on Surplus Revenue	26,763.47	
Interest on James Wallace Fund	275.25	
Total		503,880.00

Section 9. BOARD OF DENTAL SCHOLARSHIP AWARDS:

For Dental Scholarships at the University of Alabama School of Dentistry or any other dental school accredited by the Council on Dental Education of the American Dental Association. To be expended under the provisions of Act No. 793, 1965 Regular Session	83,000.00
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Section 10. EDUCATION OF DEPENDENTS OF BLIND PARENTS:

For reimbursement of every Alabama State institution of higher learning, college, university, or Alabama State Trade School or Junior College, in which benefits are given to dependents of blind parents under the provisions of Act No. 281, 1966 Special Session; estimated:	
For the fiscal year ending September 30, 1974	6,300.00
For the fiscal year ending September 30, 1975	6,930.00

Section 11. ALABAMA EDUCATION STUDY COMMISSION:

To be used for educational studies in accordance with Act No. 15, 1969 Special Session:

For the fiscal year ending
September 30, 1974:

For salaries	80,181.00
For other expense	118,055.00
For equipment purchases	6,764.00

Total	205,000.00
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For the fiscal year ending
September 30, 1975:

For salaries	81,001.00
For other expenses	117,999.00
For equipment purchases	6,000.00

Total	205,000.00
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Section 12. ALABAMA EDUCATIONAL TELEVISION COMMISSION:

For the fiscal year ending
September 30, 1974:

For salaries	598,000.00
For other expenses	425,800.00
For equipment purchases	100,000.00
For automotive equipment purchases	11,200.00
For programming	325,000.00

Total	1,460,000.00
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For the fiscal year ending
September 30, 1975:

For salaries	655,000.00
For other expenses	448,800.00
For equipment purchases	140,000.00
For automotive equipment purchases	11,200.00
For programming	350,000.00

Total	1,605,000.00
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Section 13. BOARD OF TRUSTEES OF FLORENCE STATE UNIVERSITY:

For the fiscal year ending September 30, 1974:

For operation and maintenance of the University	3,595,820.00
For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)	

For the fiscal year ending September 30, 1975:

For operation and maintenance of the University	3,760,902.00
For School of Nursing Scholarships	18,000.00
(To be expended in accordance with Act No. 2304, 1971 Regular Session.)	

Section 14. COMMISSION ON HIGHER EDUCATION:

Operation and maintenance	300,000.00
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**Section 15. BOARD OF TRUSTEES OF ALABAMA
INDUSTRIAL SCHOOL AT MT.
MEIGS, ALABAMA:**

For the operation and maintenance of the Alabama
Industrial School at Mt. Meigs, Alabama 700,000.00

**Section 16. BOARD OF TRUSTEES OF
JACKSONVILLE STATE
UNIVERSITY.**

For the fiscal year ending September 30, 1974:

For operation and maintenance of the University 5,644,440.00

For School of Nursing Scholarships 18,000.00

(To be expended in accordance with Act No. 2288,
1971 Regular Session.)

For Gadsden Program 215,786.00

For fiscal year ending September 30, 1975:

For operation and maintenance of the University 5,862,826.00

For School of Nursing Scholarships 18,000.00

(To be expended in accordance with Act No. 2288,
1971 Regular Session.)

For Gadsden Program 215,786.00

**Section 17. BOARD OF TRUSTEES OF
LIVINGSTON UNIVERSITY:**

For the fiscal year ending September 30, 1974:

For operation and maintenance of the University 1,846,269.00

For Hospital and Medical Services Scholarship Fund 18,000.00

For the fiscal year ending September 30, 1975:

For operation and maintenance of the University 1,909,425.00

For Hospital and Medical Services Scholarship Fund 18,000.00

**Section 18. MARINE ENVIRONMENTAL
CONSORTIUM:**

For operation and Maintenance:

For the fiscal year ending September 30, 1974 250,000.00

For the fiscal year ending September 30, 1975 258,750.00

(To be expended in accordance with Acts No. 946 and
2432, 1971 Regular Session.)

Section 19 MEDICAL SCHOLARSHIP BOARD:

For Medical Scholarships at the University of Ala-
bama Medical School. To be expended under the
provisions of Act No. 278, 1965, 1st Special Session... 135,000.00

**Section 20. BOARD OF TRUSTEES OF
UNIVERSITY OF MONTEVALLO:**

For the fiscal year ending September 30, 1974:

For operation and maintenance of the University 2,937,127.00

For operation and maintenance of a school
for Aphasic Children 127,032.00

For operation and maintenance of a Highway
Safety Program 100,000.00

For the fiscal year ending September 30, 1975:

For operation and maintenance of the University	2,994,815.00
For the operation and maintenance of a School for Aphasic Children	132,113.00
For operation and maintenance of a Highway Safety Program	100,000.00

Section 21. SOCIAL SECURITY:

For State's share of Social Security:

For the fiscal year ending September 30, 1974, estimated	22,750,000.00
For the fiscal year ending September 30, 1975, estimated	24,700,000.00

Section 22. SYLACAUGA NURSES TRAINING SCHOOL:

For the operation and maintenance of the Nurses Training School at Sylacauga	40,000.00
For School of Nursing Scholarships	18,000.00

(To be expended in accordance with Act No. 2393,
1971 Regular Session.)

Section 23. BOARD OF TRUSTEES OF THE UNIVERSITY OF SOUTH ALABAMA:

(a) For operation and maintenance of the University:

For the fiscal year ending September 30, 1974	5,441,884.00
For the fiscal year ending September 30, 1975	5,768,397.00

(b) For the operation and maintenance of a College of
Medicine, School of Nursing and University
Hospital:

For the fiscal year ending September 30, 1974	2,515,000.00
For the fiscal year ending September 30, 1975	3,660,369.00

(c) For Nursing Scholarships 18,000.00 |

(To be expended in accordance with Act No. 2302,
1971 Regular Session.)

(d) For Coordinate College for Health Professions:

For the fiscal year ending September 30, 1974	392,000.00
For the fiscal year ending September 30, 1975	512,435.00

Section 24. BOARD OF CONTROL OF THE TEACHERS' RETIREMENT SYSTEM:

For the fiscal year ending September 30, 1974:

For the Teachers' Retirement System, Estimated 52,000,000.00 |

For the fiscal year ending September 30, 1975:

For the Teachers' Retirement System, Estimated 56,500,000.00 |

The above appropriations shall be expended in accordance with the
statutes and regulations now or hereafter existing relating to the ex-
penditure of such Teachers' Retirement Fund.

For the Teachers' Special Pension Fund 1,500,000.00 |

Section 25. STATE TENURE COMMISSION:

For expense of operation 5,000.00 |

**Section 26. BOARD OF TRUSTEES OF THE
STATE TRAINING SCHOOL FOR
GIRLS:**

For operation and maintenance of the State Training
School for Girls:

For the fiscal year ending September 30, 1974	640,000.00
For the fiscal year ending September 30, 1975	650,000.00

**Section 27. BOARD OF TRUSTEES OF
TROY STATE UNIVERSITY:**

For operation and maintenance of the University:

For the fiscal year ending September 30, 1974	4,035,008.00
For the fiscal year ending September 30, 1975	4,177,931.00

For operation and maintenance of Troy State Univ. in Montgomery	150,000.00
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For operation and maintenance of Troy State Univ. at Fort Rucker	150,000.00
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For School of Nursing—Scholarships	36,000.00
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(To be expended in accordance with Act No. 2292,
1971 Regular Session.)

**Section 28. BOARD OF TRUSTEES OF THE
UNIVERSITY OF ALABAMA:**

A. The University:

(1) For operation and maintenance:

For the fiscal year ending September 30, 1974 ...	19,995,112.00
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For the fiscal year ending September 30, 1975 ...	21,288,196.00
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(2) For School of Medicine:

For the fiscal year ending September 30, 1974 ...	877,676.00
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For the fiscal year ending September 30, 1975 ...	1,016,256.00
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(3) For Public Service, Research and Extension ...	1,066,200.00
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(4) For Nursing Scholarships	18,000.00
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(5) For Alabama Law Institute Library	50,000.00
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(6) Gadsden Cooperative Upper Division Program ..	138,903.00
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B. The University—Birmingham:

For the fiscal year ending September 30, 1974:

(1) For the School of Community and Allied Health Resources	900,292.00
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(2) For the School of Dentistry: For operation and maintenance	2,847,226.00
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(3) For Diabetics Clinic: For operation and maintenance	200,000.00
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(4) For the University College	6,552,250.00
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(5) For Center for Labor Education and Research ..	230,000.00
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(6) For Medical School:

(a) For operation and maintenance	6,767,696.00
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(b) For operation and maintenance of Medi- cal Information Service via Telephone	75,000.00
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(7) For School of Optometry: For operation and maintenance	646,708.00
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(8) For School of Nursing	934,407.00
(9) For School of Nursing—Scholarships	88,400.00
(10) For Student Nurses—Loan Fund	12,000.00
(11) For the University Hospital and Clinics	1,666,323.00
(12) For Joint Health Science Program:	
For operation and maintenance	1,154,836.00
(13) For Lurleen B. Wallace Cancer Program:	
For operation and maintenance	100,000.00
For the fiscal year ending September 30, 1975:	
(1) For the School of Community and Allied Health Resources	936,304.00
(2) For the School of Dentistry:	
For operation and maintenance	3,515,553.00
(3) For Diabetes Clinic:	
For operation and maintenance	200,000.00
(4) For the University College	7,326,520.00
(5) For Center for Labor Education and Research	230,000.00
(6) For Medical School:	
(a) For operation and maintenance	7,106,079.00
(b) For operation and maintenance of Medi- cal Information Service via Telephone	75,000.00
(7) For School of Optometry:	
For operation and maintenance	739,095.00
(8) For School of Nursing	971,783.00
(9) For School of Nursing—Scholarships	88,400.00
(10) For Student Nurses—Loan Fund	12,000.00
(11) For the University Hospital and Clinics	1,816,550.00
(12) For Joint Health Science Program:	
For operation and maintenance	1,154,836.00
(13) For Lurleen B. Wallace Cancer Program:	
For operation and maintenance	100,000.00

C. The University—Huntsville:

For the fiscal year ending September 30, 1974:

(1) For operation and maintenance	3,636,822.00
(2) For Environmental Science Center	138,580.00
(3) For School of Medicine	877,676.00
(4) For Division of Nursing—Scholarships	18,000.00
(To be expended in accordance with Act No. 2290, 1971 Regular Session.)	

For the fiscal year ending September 30, 1975:

(1) For operation and maintenance	3,932,167.00
(2) For Environmental Science Center	149,667.00
(3) For School of Medicine	1,016,256.00
(4) For Division of Nursing—Scholarships	18,000.00
(To be expended in accordance with Act No. 2290, 1971 Regular Session.)	

Section 29. VETERANS EDUCATION BENEFITS:

For reimbursement to every Alabama State institution of higher learning, college, university, or Alabama State trade school or junior college, in which benefits are given to veterans, their wives, widows, or children under the provision of Act No. 767, 1965 Regular Session, Estimated 750,000.00

Section 30. JOHN M. WILL MEMORIAL SCHOLARSHIP FOUNDATION 1,000.00

Section 31. MONTGOMERY INSTITUTE FOR NEUROLOGICAL DEVELOPMENT 25,000.00

Section 32. The following appropriations in this section shall be conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor, and are for each of the fiscal years ending September 30, 1974, and September 30, 1975 unless indicated otherwise:

- (1) University of Alabama—Huntsville
 - Operation and Maintenance 500,000.00
- (2) University of South Alabama
 - (a) For the University Teaching Hospital 750,000.00
 - (b) For the University Medical College:
 - For the fiscal year ending September 30, 1974 ... 250,000.00
 - For the fiscal year ending September 30, 1975 ... 325,000.00
- (3) University of Montevallo 250,000.00
- (4) Auburn University
 - Alabama Cooperative Wildlife Research Unit 50,000.00
- (5) Junior College Equalization Account
 - For the fiscal year ending September 30, 1974 500,000.00
 - For the fiscal year ending September 30, 1975 800,000.00
- (6) The Department of Education for the Regional Technical Institute 300,000.00
- (7) Auburn University:
 - (a) Agricultural Experiment Station System 300,000.00
 - (b) Cooperative Extension Service 300,000.00
- (8) University of Alabama-Tuscaloosa:
 - Extension, Public Service and Research 300,000.00
- (9) University of Alabama-Birmingham:
 - Extension, Public Service and Research 200,000.00
- (10) Troy State University:
 - Extension, Public Service and Research 200,000.00
- (11) Auburn University—Montgomery 100,000.00

Section 33. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon the approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the University of Montevallo, the University of Alabama, the University of South Alabama, Auburn University, the

Institute for the Deaf and Blind, the Boys' Industrial School, the Alabama Industrial School at Mt. Meigs, Alabama, the State Training School for Girls, the Alabama Educational Television Commission, Teachers Retirement System, Florence State University, Jacksonville State University, Livingston University, Troy State University and the State Social Security Board by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 34. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 35. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Mr. Fine offered the following amendment to the substitute for the Bill, H. B. 322, to-wit:

AMENDMENT TO H. B. 322

In Section 32, insert the following:

Vocational Education:

For the fiscal year ending September 30, 1974\$2,206,928.00

For the fiscal year ending September 30, 1975\$4,413,855.00

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 19; Nays 10.

Yeas:

Messrs.:	Dozier	Lybrand	Pierce
Bailes	Gilmore	Noonan	Register
Branyon	Givhan	O'Bannon	Vacca
Clark	Harris	Owen	Wilder
Dominick	Lindsey	Pelham	Wilson

—19

Nays:

Messrs.:	Hawkins	Littleton	Shelby
Fine	Horne	McLain	Weaver
Foshee	King	Melton	

—10

Mr. Fine offered the following amendment to the substitute for the Bill, H. B. 322, to-wit:

AMENDMENT TO HARRIS SUBSTITUTE FOR H. B. 322

Amend Harris Substitute for H. B. 322 by striking therefrom in its entirety Section 32 (7) and substituting in lieu thereof the following:

“(7) Board of Trustees of Auburn University for each of the fiscal years ending September 30, 1974 and September 30, 1975.

a. Agricultural Experiment Station System	300,000.00
b. Cooperative Extension Service	300,000.00
c. Center for Vocational and Adult Education	360,000.00”

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 22; Nays 11.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Bailes	Gilmore	Noonan	Shelby	
Branyon	Givhan	O'Bannon	Vacca	
Clark	Harris	Owen	Wilder	
Cook	King	Pelham	Wilson	
Dominick	Lindsey	Pierce		—22

Nays:

Messrs.:	Fine	Horne	Malone	
Carr	Foshee	Littleton	Melton	
Dozier	Hawkins	McLain	Weaver	
				—11

Mr. Foshee offered the following amendment to the substitute for the Bill, H. B. 322, to-wit:

AMENDMENT TO HARRIS SUBSTITUTE FOR H. B. 322

Amend Section 4, I. by striking the figures 120,000.00 and 126,000.00 and inserting in lieu thereof the figures 60,000.00 and 75,000.00.

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 29; Nays 3.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Harris	Melton	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Weaver	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—29

Nays:

Messrs.:	Dozier	Foshee	Horne	—3
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Mr. Foshee offered the following amendment to the substitute for the Bill, H. B. 322, to-wit:

AMENDMENT TO HARRIS SUBSTITUTE FOR H. B. 322

In Section 4, Paragraph V strike 12,710,297.00 and add the following: 12,760,000.00; and strike 13,190,708.00 and add 13,760,000.00.

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 24; Nays 8.

Yeas:

Messrs.:	Branyon	Dominick	Harris
Bailes	Clark	Edington	Jones
Baker	Cook	Givhan	King

Lindsey	O'Bannon	Pierce	Vacca
Lybrand	Owen	Register	Wilder
Malone	Pelham	Shelby	Wilson
Noonan			

—24

Nays:

Messrs.:	Hawkins	Littleton	Melton
Fine	Horne	McLain	Weaver
Foshee			

—8

Mr. Foshee offered the following amendment to the substitute for the Bill, H. B. 322, to-wit:

AMENDMENT TO HARRIS SUBSTITUTE FOR H. B. 322

In Section 4, Paragraph V add conditional of 1,000,000.00 each year.

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 20; Nays 12.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce
Bailes	Harris	Malone	Register
Baker	Jones	Noonan	Shelby
Branyon	King	O'Bannon	Vacca
Clark	Lindsey	Pelham	Wilder
Dominick			

—20

Nays:

Messrs.:	Foshee	Littleton	Owen
Carr	Hawkins	McLain	Weaver
Dozier	Horne	Melton	Wilson
Fine			

—12

Mr. Pierce offered the following amendment to the substitute for the Bill, H. B. 322, to-wit:

AMENDMENT TO HARRIS SUBSTITUTE FOR H. B. 322

Amend Harris Substitute for H. B. 322 by substituting for the 4th item in Section 27, on Page 18, the following:

"For operation and maintenance of Troy State University at Maxwell Air Force Branch." \$150,000.00

Which was adopted.

Mr. Bailes offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

AMENDMENT TO HARRIS SUBSTITUTE, AS AMENDED, FOR H. B. 322

Amend the Harris Substitute for H. B. 322 by deleting the whole of Section 3 A, on page 2 of the Bill and insert in lieu thereof the following:

"A. For the Department of Education:

For the fiscal year ending
September 30, 1974:

For the salary of the State Superintendent	23,500.00	
For other salaries	931,263.00	
For other expenses	149,200.00	
For rental expense	98,058.00	
For equipment purchases	33,622.00	
For transfer to State Personnel Department	22,300.00	
Total		1,257,943.00

For the fiscal year ending
September 30, 1975:

For the salary of the State Superintendent	23,500.00	
For other salaries	1,015,769.00	
For other expenses	162,080.00	
For rental expense	98,058.00	
For equipment purchases	39,670.00	
For transfer to State Personnel Department	22,300.00	
Total		1,361,377.00"

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 22; Nays 9.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Branyon	Gilmore	Lybrand	Pierce	
Clark	Givhan	Melton	Register	
Cook	Harris	Noonan	Shelby	
Dozier	Horne	O'Bannon	Wilson	
Fine	Lindsey	Owen		—22

Nays:

Messrs.:	Edington	Malone	Weaver	
Bailes	Jones	Vacca	Wilder	
Carr	McLain			—9

Mr. Jones offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

**AMENDMENT TO HARRIS SUBSTITUTE, AS AMENDED,
FOR HOUSE BILL 322**

Add:

Section 4, page 8-A (Par. C)

Vocational Education:

Funds appropriated hereinabove shall not be expended by the State Department of Education, local boards of education or institutions for contractual services to private profit agencies, organizations and institutions except for the purposes of the renovations, repairs and rental of buildings and equipment.

Which was adopted

Mr. Jones then offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

**AMENDMENT TO HARRIS SUBSTITUTE, AS AMENDED,
FOR H. B. 322**

Amend Section 32 of House Bill 322, page 22 by adding the following: (12)

"Auburn University:

Center for Vocational and Adult Teacher Education\$350,000.00".

On motion of Mr. Jones, said amendment was laid on the table.

Mr. Carr offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

**AMENDMENT TO HARRIS SUBSTITUTE, AS AMENDED,
FOR H. B. 322**

Amend the Harris Substitute for House Bill 322 in Section 4, I, on page 5 of said substitute by deleting Section I in its entirety and inserting in lieu thereof the following:

"I. Alabama High School of Fine Arts:

For operation and maintenance:

For the fiscal year ending September 30, 1974 300,000.00

For the fiscal year ending September 30, 1975.....300,000.00

The above appropriation is to carry out the provisions of HJR 145 of the 1971 Regular Session."

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Harris	O'Bannon	Register	
Baker	Lindsey	Owen	Shelby	
Branyon	Littleton	Pelham	Weaver	
Clark	Lybrand	Pierce	Wilder	
Foshee	Malone			—17

Nays:

Messrs.:	Edington	Hawkins	Melton	
Bailes	Fine	King	Vacca	
Carr	Givhan	McLain	Wilson	
Cook				—12

Mr. Carr then offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

**AMENDMENT TO HARRIS SUBSTITUTE, AS AMENDED,
FOR HOUSE BILL 322**

Amend the Harris Substitute for House Bill 322 in Section 4, I, on page 5 of said substitute by deleting Section I in its entirety and inserting in lieu thereof the following:

"I. Alabama High School of Fine Arts:

For operation and maintenance:

For the fiscal year ending September 30, 1974.....\$120,000.00

For the fiscal year ending September 30, 1975..... 126,000.00

The above appropriation is to carry out the provisions of HJR 145 of the 1971 Regular Session."

For operation and maintenance:

A conditional appropriation

For the fiscal year ending September 30, 1974..... 180,000.00

For the fiscal year ending September 30, 1975:

A conditional appropriation 174,000.00

And said amendment was then lost.

Mr. Carr then offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

AMENDMENT TO HARRIS SUBSTITUTE, AS AMENDED,
FOR HOUSE BILL 322

Amend the Harris Substitute for House Bill 322 in Section 4, I, on page 5 of said substitute by deleting Section I in its entirety and inserting in lieu thereof the following:

"I. Alabama High School of Fine Arts:

For operation and maintenance:

For the fiscal year ending September 30, 1974 200,000.00

For the fiscal year ending September 30, 1975 200,000.00

The above appropriation is to carry out the provisions of HJR 145 of the 1971 Regular Session."

Mr. Wilder moved that said amendment be laid on the table, which resulted in a tie vote.

Yeas 16; Nays 16.

Yeas:

Messrs.:	Fine	Lindsey	Owen
Baker	Foshee	Littleton	Pelham
Branyon	Givhan	Lybrand	Weaver
Clark	Harris	O'Bannon	Wilder
Dozier			

—16

Nays:

Messrs.:	Hawkins	McLain	Register
Bailes	Horne	Melton	Shelby
Carr	Jones	Noonan	Vacca
Cook	King	Pierce	Wilson
Edington			

—16

The President and Presiding Officer voted "Nay"; therefore, the motion to table was lost.

The question was then on the amendment offered by Mr. Carr to the substitute, as amended, for the Bill, H. B. 322, and said amendment was then lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Edington	King	Register
Bailes	Fine	McLain	Shelby
Carr	Hawkins	Melton	Vacca
Cook	Horne	Pierce	Wilson

—15

Nays:

Messrs.:	Foshee	Littleton	Owen
Baker	Givhan	Lybrand	Pelham
Branyon	Harris	Noonan	Weaver
Clark	Jones	O'Bannon	Wilder
Dozier	Lindsey		

—17

Mr. Shelby then offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

**AMENDMENT TO THE HARRIS SUBSTITUTE, AS AMENDED,
FOR H. B. 322**

Amend the Harris Substitute, as amended, for H. B. 322, by adding to Section 32(8), page 21, the following:

State Mine Experiment Station	
Mineral Resources Institute	\$300,000

Mr. Harris moved that said amendment be laid on the table, which motion was lost.

Yeas 9; Nays 23.

Yeas:

Messrs.:	Harris	Pelham	Register
Clark	Lybrand	Pierce	Wilder
Givhan	Noonan		

—9

Nays:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Owen
Baker	Foshee	Littleton	Shelby
Branyon	Hawkins	McLain	Vacca
Carr	Horne	Malone	Weaver
Dozier	Jones	Melton	Wilson

—23

The question was then on the amendment offered by Mr. Shelby to the substitute, as amended, for the Bill, H. B. 322, and said amendment was then adopted.

Mr. Horne offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

**AMENDMENT TO HARRIS SUBSTITUTE, AS AMENDED,
FOR H. B. 322**

Amend Section J(A) by adding "Lanett State Junior College" as item "18", and

Amend Section J by adding:

"One dollar plus all funds heretofore appropriated and the authority to operate the Lanett Branch of Southern Union State Junior College are hereby transferred to the Lanett State Junior College for the purpose of immediately constructing, purchasing land and equipment, and operating a separate junior college at Lanett; and the State Board of Education is hereby ordered and directed to immediately execute such deeds and documents as are available and necessary to transfer all title and contracts on the Lanett Branch of Southern Union State Junior College to the Lanett State Junior College. The Lanett Branch of Southern Union State Junior College is hereby dissolved and Southern Union State Junior College shall cease all operations in Chambers and Lee Counties"

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 22; Nays 8.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Gilmore	Lybrand	Vacca	
Baker	Givhan	Malone	Weaver	
Branyon	Harris	O'Bannon	Wilder	
Clark	Hawkins	Pelham	Wilson	
Cook	Jones	Pierce		—22

Nays:

Messrs.:	Foshee	King	Melton	
Dozier	Horne	Littleton	Owen	
Fine				—8

Mr. Harris then offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

**AMENDMENT TO THE HARRIS SUBSTITUTE, AS AMENDED,
FOR H. B. 322**

Insert a new Subsection 14. at the end of Section 28 on page 19 and 20, viz:

To establish a pilot program for the training of brain-injured children from North Alabama at the Birmingham Training Center For Brain-Injured Children:

For the fiscal year ending September 30, 1974	29,100.00
For the fiscal year ending September 30, 1975	29,100.00

Which was adopted.

Mr. Fine offered the following amendment to the substitute, as amended, for the Bill, H. B. 322, to-wit:

**AMENDMENT TO HARRIS SUBSTITUTE, AS AMENDED
FOR H. B. 322**

Amend H. B. 322, as amended, by adding the following as subsection A of Section 3 on page 2 and renumbering the remaining subsections of Section 3.

"A. For the purchase and maintenance of polygraph equipment; truth serums; bull whips and any other equipment or devices needed to obtain accurate revenue projections for the special education trust fund\$10,000"

On motion of Mr. Harris, said amendment was laid on the table.

And said substitute, as thus amended, for the Bill, H. B. 322, was then adopted by the Senate.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King	Owen		—34

Nays:

—0

And said Bill, H. B. 322, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King	Owen		—34

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Robertson, Burgess, Lyons, Wynot, Culver, Cottingham, Bank, McBride, Crowe, Hearn, Williams, Gafford, Boutwell, Bowers, Therrell, Adwell, Grainger, Lang, Coshatt, Casey, O'Daniel, Crawford, Easters, Pruitt, Manley, Carter, Cross, Reynolds, Porter, Chesnut, Connell, Goodwin, Cauthen, Weeks, Hale, Turnham, St. John, McCorquodale, Wise, Wallace, Merrill, Adams, Waggoner, Callahan, Mims, Nettles, Downing, Hardin, Barkett, Bassett, Stokes, Dill, Timmons, Naramore, Boles, Hughes, Meeks, Headley, Stubbs and Mathews:

H. 1304. To amend Code of Alabama 1940, Title 14, Sections 314 and 318 so as to redefine murder in the first degree, to eliminate the provision thereof giving the jury authority in its discretion to sentence the defendant in a murder case to death, to provide further for mandatory death sentence in certain murder cases, and to provide for and regulate automatic review by the board of pardons and paroles of all murder cases in which the defendant is sentenced to death after all

judicial review of such cases and for the recommendation by said board of pardons and paroles to the Governor for the commutation of such sentences when certain mitigating circumstances surround the case.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request the Senate to return to the House for further consideration House Bill No. 1304.

H. 1304. To amend Code of Alabama 1940, Title 14, Sections 314 and 318 so as to redefine murder in the first degree, to eliminate the provision thereof giving the jury authority in its discretion to sentence the defendant in a murder case to death, to provide further for mandatory death sentence in certain murder cases, and to provide for and regulate automatic review by the board of pardons and paroles of all murder cases in which the defendant is sentenced to death after all judicial review of such cases and for the recommendation by said board of pardons and paroles to the Governor for the commutation of such sentences when certain mitigating circumstances surround the case.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Carr, the Senate acceded to the request of the House to return for further consideration the Bill, H. B. 1304, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer directed the Secretary to return said Bill, H. B. 1304, to the House.

BILLS ON THIRD READING

The Bill:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

was taken up

Mr. Givhan offered the following amendment to the Bill, H. B. 691, to-wit:

AMENDMENT TO HOUSE BILL NO. 691

Amend House Bill No. 691, Section 12 on pages 4 and 5 of said bill as follows:

Strike out the first sentence of Section 12 of said House Bill No. 691 and substitute therefor the following sentence:

"Section 12. COLLECTION OF ASSESSMENTS: DEDUCTION FOR EXPENSES. In the event the required number of swine producers approve by a referendum as provided hereunder the levying of an assessment upon the sale of swine for a promotional program, the commissioner of agriculture and industries shall, within thirty days, notify in writing every person licensed to operate a livestock market under authority of Act No. 173 of the legislature of 1951, Acts of 1951, page 409, other persons who conduct livestock sales and purchasing establishments including the sale of feeder pigs and every person who operates a meat packing or slaughter establishment which buys swine directly from the producer, that on or after the date designated in such notice which shall be not less than thirty nor more than sixty days after the mailing of such notice by the commissioner of agriculture and industries, the amount of the assessment shall be deducted by all such sales markets or purchasers of swine, or by their agents or representatives, from the purchase price paid to the seller of such swine, where such swine are purchased within the state."

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen
Bailes	Fine	Lybrand	Pelham
Branyon	Foshee	McLain	Shelby
Carr	Gilmore	Malone	Vacca
Clark	Givhan	Melton	Weaver
Dozier	King	Noonan	Wilder

—23

Nays:

—0

Mr. Bailes moved that the Senate reconsider the vote by which the Givhan amendment was adopted.

RESOLUTION

Mr. Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 84. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES concurring, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 14, 1973.

On motion of Mr. Pelham, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wood and Downing:

H. 1509. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

By Messrs. McCluskey and Smith (P):

H. 510. To authorize the governing body of any county or the governing body of any municipality within the county to establish within the county or within the municipality ambulance service on a non-profit basis; to authorize the county to unite with any municipality within the county or two or more municipalities within the county, to unite with each other or together with the county, in the establishment of such ambulance service, making such service common for the use of the county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by the county or any municipality; to authorize the charging of fees for such ambulance service; the county or participating municipality or municipalities, and to permit and to exempt such county and any municipality from tort liability while operating ambulances or providing ambulance service as authorized herein.

Also:

By Messrs. Collins and Callahan:

H. 1069. To authorize a transfer between certain funds of the State Docks Department, amending Section 15 of Act No. 311, H. 253, approved August 20, 1957, an act providing for development of inland docks (Acts of Alabama 1957, Vol. I, P. 408), and providing that the amendment shall have retroactive effect.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1509. To the Committee on Local Legislation No. 1.

H. B.'s 510 and 1069. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perloff, Collins, Callahan, Nettles, Stokes, Therrell, Wood, Roberts, Downing and Lyons:

H. 281. To authorize and make provision for the incorporation, in all counties having a population of not less than 300,000 or more than

500,000, according to the 1970 or any subsequent Federal decennial census, of airport authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities (including offices, hangars and facilities for airlines), and of constructing, acquiring, establishing, maintaining, extending, enlarging, reconstructing, equipping, maintaining, repairing, and operating buildings, structures and facilities suitable for use as manufacturing plant, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business at, upon or adjacent to any airport, heliport or aircraft landing area owned or operated by any such authority, and leasing or letting such building, structures or facilities; to provide that in order for any such authority to be organized application must be made to the governing body of a county to which this act applies and to any city or town in such county and permission for the organization of such authority obtained from each governing body to which application is made; to specify that any such authority shall be governed by a board of directors and to fix the number of such directors, their terms of office and the manner of their election; to specify the powers of each such authority; to endow each such authority with the power of eminent domain (which may be exercised within or without the county in which the authority is organized); to exempt each such authority from all laws, ordinances and regulations relating to zoning and all laws relating to the advertising and award by the state, its departments, counties, municipalities and other political subdivisions of the state of construction or purchase contracts; to provide that any county in which any such authority is organized and any municipality or other political subdivision, public corporation, agency or instrumentality located within such county may aid and cooperate with any such authority in the planning, undertaking, acquisition, construction, and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to any such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to provide that no action or suit shall be brought against any such authority or any director thereof for or on account of the negligence of the authority or any director or of its or his agents, servants or employees; to authorize the issuance by each such authority of interest-bearing revenue bonds payable solely out of revenues of the authority issuing such bonds; to specify provisions of such revenue bonds issued by any such authority; to provide that any such revenue bonds may be secured by a pledge of any revenues of the issuing authority (whether such authority's right to such revenues then exists or may thereafter come into existence) and by mortgage on any property of any such authority, whether then in existence or thereafter acquired; to provide that any such pledge may be provided in an indenture between the authority issuing such bonds and a trustee or by resolution providing for the issuance of such bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the Judge of Probate of the county in which the principal office of the authority is located and in any other county in which there is located any property of the authority the revenues from which are so pledged; to provide that any authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing similar evidences of indebtedness; to provide that bonds issued and contracts entered into by any such authority pursuant to this act shall not constitute or create a debt of this state or of any county, city or town within the state; to specify the use to which proceeds of any such bonds may be put; to authorize the refunding of any such bonds; to provide for remedies in the event of default; to exempt from all taxation any such bonds and the income therefrom and

the property, receipts and income of any such authority; to authorize the investment of any idle funds of any county to which this act applies, and of any city or town within such county, in bonds issued by any such authority; to provide that bonds issued by any such authority shall be legal investments for fiduciary, savings banks and insurance companies; to authorize the publication of the notice of the adoption of any resolution authorizing the issuance of and such bonds and to specify the time after the publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and proceedings authorizing the same; to endow each such authority with the zoning powers specified in Act No. 730 (1953 Regular Session); to provide for the dissolution of and any such authority and the disposition of its properties; and to provide that neither the formation or existence of a public corporation under the provisions of Act No. 265 (1963 Regular Session) shall preclude the organization of an authority under this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 281. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Lyons, Mathews and Drake:

H. 329. To make appropriations for the operation and maintenance of the State Highway Department, for payment of the principal of and interest on bonds heretofore or hereafter issued for public highway and bridge purposes by the State, Alabama Highway Authority or Alabama Highway Finance Corporation, for salaries, other expenses, equipment purchases, automotive equipment purchases, and for the construction and maintenance of public highways and bridges in the State, which are a part of the State Highway System.

Also:

By Messrs. McCorquodale, Mathews, Williams, Drake and Lyons:

H. 330. To make additional appropriations to the Highway Department for the construction of public highways and bridges in the state to supplement those amounts appropriated by Act No. 90, First Special Session of the Legislature 1971.

Also:

By Messrs. Callahan and Lyons:

H. 1585. To amend Section 13 of Act No. 1, 1945 General Acts of Alabama, page 1, approved May 22, 1945, an Act to conserve natural resources, prevent waste and provide regulation, control and supervision of the drilling for and the production and use of oil and gas in the State

of Alabama so as to add a provision for integrating interests as well as tracts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 329 and 330. To the Committee on Finance and Taxation.

H. B. 1585. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to appointments on the Board of Trustees of Auburn University.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

AUGUST 9, 1973

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons on the Board of Trustees of Auburn University:

Jack Tatum, Opelika, Alabama. From the 3rd Congressional District—succeeding Roberts H. Brown, deceased—for the term expiring January 1975.

Robert H. Harris, Decatur, Alabama. From the 8th Congressional District—succeeding Redus Collier, deceased—For the term expiring January 1983.

The above appointments are submitted to you for confirmation or for such action as you may deem right and proper.

Respectfully,
GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of Auburn University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Adwell:

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1488. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Burgess:

H. 1112. To amend Act No. 100, Section 32, Second Special Session, 1959, Acts of Alabama 1959, Vol. I, p. 298 at pp 314-315, the Alabama Sales Tax Law, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

By Mr. Burgess:

H. 1111. To further amend Section 5 of Act No. 298, Regular Session, 1947, General Acts of Alabama 1947, p. 149, as amended, by Act No. 589, Acts of Alabama 1963, Vol. II, pp 1285-1287; as further amended by Act No. 766, Acts of Alabama 1965, Vol. II, p. 1378, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

By Mr. Burgess:

H. 1110. To amend further Act No. 92, Special Session, 1963, Acts of Alabama 1963, Vol. I, p. 257 at p. 258, as amended, by Act No. 135, Acts of Alabama 1964, pp 199-200, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization of the use of funds.

Also:

By Mr. Burgess:

H. 1109. To amend further Code of Alabama 1940, Title 51, Section 350, as amended, by Act No. 74, Acts of Alabama 1955, Vol. I, p. 191 at p. 192; and as further amended by Act No. 103, Acts of Alabama 1971, Vol. I, pp 184-186, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

By Mr. Burgess:

H. 1108. To amend further Code of Alabama 1940, Title 51, Section 741, as amended by Act No. 73, Section 2, Acts of Alabama 1955, Vol. I, p. 188 at pp 190-191, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

By Mr. Roberts:

H. 1004. To authorize County governing bodies to enter into contracts with Federal Government.

Also:

By Mr. Williams:

H. 991. To provide for a retirement system for the sheriffs of the various counties within the state.

Also:

By Messrs. Pruitt, McCorquodale and Lyons:

H. 669. To amend Section 2 of Act No. 63 passed at the Extraordinary Session of the Legislature of Alabama of 1971 and approved April 27, 1971, relating to the uniform disposition of unclaimed and abandoned property, so as to provide for the disposition of traveler's checks and money orders that have been outstanding for more than 15 years from the date of issuance; to amend Section 11 of said Act to provide for the omission from the report required by Section 11 of certain information as to traveler's checks and money orders; to amend Section 12 of said Act so as to exempt sums payable on traveler's checks and money orders from the provisions of Section 12; and to amend Section 13 of said Act in the case of sums payable on traveler's checks or money orders presumed abandoned, to provide for the payment of such sums within 20 days after the filing of the report required by Section 11.

Also:

By Messrs. Lyons, Cauthen, Ellis, McDonald, Stewart, Merrill, Williams, Wallace, Adams, Roberts, Lang, Therrell, Downing, Taylor, King, Culver, Turnham, Wynot, Dill, Waggoner, Connell, Brassell, Robertson, Naramore, Mathews, Gray (F), Parker, Coshatt, Chesnut, Reynolds, Reid (R), Carnes, McBride, Wood, Stokes, Nettles, Agee, McCluskey, Smith (K), Jackson, Harris, Wise, Mims, Easters, Hardin, Casey, Benton, May, Grey (D), Waldrop, McCorquodale, Cottingham, Turner, Carter, Adwell, Cross, Timmons, Jones (E), Flippo, O'Daniel, Hobbie, Barkett, Goodwin, Bank, Callahan, Doss, Erdreich, Falkenburg, Owens, Smith (P), Snell, Hale, Collins, Stubbs, Grainger and Hill:

H. 414. To authorize the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Director of Finance to become a public corporation to be known as Alabama Legislative Building Authority; to provide the procedure for incorporation, to designate the members, directors, and officers of the Authority; to prescribe the powers of the Authority, including the power to provide for the construction, reconstruction, improvement, alteration, and equipment of public office buildings and the acquisition of sites therefor, the power of eminent domain, and the power to sell and issue not exceeding \$12,000,000 principal amount of bonds for such purposes; to authorize the issuance

of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues of the Authority and shall not create an obligation or debt of the State; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to provide for the construction and equipment of buildings by the Authority to provide for a standing legislative committee to approve the selection of architects or engineers and to approve the plans and specifications of buildings constructed by the Authority; to authorize the conveyance to said Authority of lands owned by the State; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues which filing will constitute constructive notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to and by the Legislative Branch of the State of Alabama and to and by agencies, boards, commissions, public corporations, bureaus and departments of the State of Alabama and of the United States, and to private parties, of space for occupancy in said building or buildings; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; and to provide for dissolution of said Authority and conveyance of its assets and properties to the State upon payment of said bonds.

Also:

By Mr. Robertson:

H. 1557. To amend further Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), an Act levying additional privilege or license taxes in Tuscaloosa County, so as to exempt tangible personal property purchased outside this county from the use tax levy.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA TUSCALOOSA COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 56, H. 285, Regular Session 1953 (acts 1953, p. 76), an act levying additional privilege or license taxes in Tus-

caloosa County, so as to exempt tangible personal property purchased outside this county from the use tax levy.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of said Act No. 56 of 1953 is hereby amended to read as follows:

"Section 4. Levy of Use Tax.

"(a) An excise tax is hereby imposed on the storage, use or other consumption in the county of tangible personal property purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of two per cent (2%) of the sale price of such property, except as provided in subsections (b) and (c) of this section.

"(b) An excise tax is hereby imposed on the storage, use or other consumption in the county of any automotive vehicle or truck trailer and semi-trailer purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of one-half of one per cent ($\frac{1}{2}$ of 1%) of the sales price of such automotive vehicle, truck trailer or semi-trailer.

"(c) The storage, use or other consumption in the county of tangible personal property purchased at retail from a retailer who is not engaged in business in the county on or after the effective date of this amendatory act is hereby exempted from the excise tax imposed by subsections (a) and (b) of this section.

"Every person storing, using or otherwise consuming in the county tangible personal property purchased at retail, except as exempted by subsection (c) of this section, shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in the county, showing that the property in question was purchased at retail from such retailer and the tax levied in Section 3 hereof has been paid with respect to the purchase at retail of such property shall be sufficient to relieve the purchaser from further liability for a tax under this section with respect to the use, storage, or consumption of such property. Each exemption provided for in the state use tax statutes as amended by Act No. 99 of the 1959 Special Session of the Legislature of Alabama, approved August 18, 1959, and as they may from time to time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state use tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. All provisions and procedures with respect to the filing of returns, collections and payment of taxes, keeping of records, making of reports, determination of the amount of the tax due, penalties, assessments, notices, examinations of taxpayers and their books provided in the state use tax statutes, as hereafter amended, with respect to the tax levied in those statutes shall be applicable to the tax levied in this section excepting, however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided, however, that any procedure or provisions involving the State Department of Revenue which is incorporated herein by reference to the state use tax statutes shall be deemed to apply, with respect to the tax levied in this section to the tax board."

Section 2. This act shall become effective on the first day of the first calendar month next following the date of its enactment.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 15, June 22, June 29, and July 6, all in the year 1973.

KARL E. ELEBASH, JR.

Sworn to and subscribed before me July 6, 1973.

LaJUNE BURNETT,
Notary Public.

Also:

By Mr. Burgess:

H. 1113. To amend Act No. 78, Second Special Session, 1955, Acts of Alabama 1955, Vol. 1, p. 199, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

By Mr. Burgess:

H. 1114. To amend Section 2, Act No. 312, Acts of Alabama 1959, Vol. 2, p. 889 at 890, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1112, 1111, 1110, 1109, 1108, 1113 and 1114. To the Committee on Health.

H. B.'s 1004, 991, 669, and 414. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1557. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake, St. John and Smith (P):

H. 1540. To further amend Section 1 of Act 384, Regular Session 1965, (Acts 1965, p. 517), to levy an excise tax on the storage, use or other consumption in this state of certain tangible personal property purchased at retail, in lieu of the state use tax levied by Code 1940, Title 51, Section 788, as amended, and to provide for the enforcement and collection of such tax.

Also:

By Messrs. Drake, St. John and Smith (P):

H. 1541. To further amend Section 1 of Act 383, H. 57, Regular Session 1965, (Acts 1965, p. 516), relating to the tax levied on farm machinery and equipment sold for agricultural purposes.

Also:

By Messrs. Headley and Owens:

H. 1151. Providing for the licensing of insurance premium finance companies; imposing powers and duties on the Commissioner of Insurance; providing for regulation of such companies in the rates and charges permissible and penalties for violations of this Act.

Also:

By Messrs. McCorquodale and Lyons:

H. 1137. To amend Section 1 of Act No. 648, S. 518, Regular Session 1949, Acts 1949, p. 991, as amended.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1540 and 1541. To the Committee on Agriculture.

H. B. 1151. To the Committee on Insurance.

H. B. 1137. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Timmons, Adwell, Doss, Waggoner, Erdreich, Boutwell, McBride, Bowers, Falkenburg, Boles, Jones (E), Dill, Gafford, Weeks, Ellis and Wallace:

H. 619. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971, p. 2692), which act established a pension and relief

or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent federal census.

Also:

By Mr. Waggoner:

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Also:

By Messrs. Boutwell, Bowers, McNair, Falkenburg, Boles, McMillan, Hughes and Doss:

H. 1780 To amend Section 2 of Act No. 965, H. 1396, Regular Session 1969 (Acts 1969, p. 1710) which provides for the salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census; so as to further provide for such salary.

Also:

By Messrs. Boutwell, Doss, Weeks, Adwell, Erdreich, Gafford, Ellis, McMillan, Timmons and Bowers:

H. 1847. To amend Section 17 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, herein called "the proposed law," which will amend, in the respect below stated, Section 17 of Act No. 497 of the Regular Session of the Legislature of 1965, as heretofore amended.

Section 17 provides that any amendment payable by the retirement system to a retired member shall be reduced by the amount if any, paid to the beneficiary for the same month by the County on account of or by reason of employment of such beneficiary during such month by the County. The amendment will insert in said Section 17 a provision to the effect that one who has been retired under some other pension law of the State of Alabama on a pension, and who has been accorded a supernumerary status under such other pension law, the money paid a person in supernumerary status shall not be considered in applying Section 17.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who by

me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, and that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public

Also:

By Messrs. Boutwell, Doss, Weeks, Adwell, Erdreich, Gafford, Ellis, McMillan, Timmons and Bowers:

H. 1848. To amend Section 13 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, herein called "the proposed law", which will amend, in the respect below stated, Section 13 of Act No. 497 of the Regular Session of the Legislature of 1965, as heretofore amended.

The proposed law would insert in Section 13 the following provision:

If any member of the system prior to retirement for supernumeration hereunder has become, or shall become, subject to any other law of Alabama providing for a retirement system, he shall be paid upon application therefor the full amount of his deposits and contributions less one-half any disability benefits paid to him hereunder. He shall not receive any interest for the period during which his deposits and contributions remain in the pension fund

After such application has been filed then no further deductions shall be made from the applicant's salary for payment into the pension fund; and the County shall be relieved of making any further payments to the pension fund on the applicant's account. Upon such application being filed the system shall be relieved of any obligation to pay to the applicant any retirement benefit hereunder, or any disability benefit hereunder, except disability benefits accruing before such application was filed. The amount contributed by the County to match the applicant's deposits and contributions shall remain in the pension fund.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser

and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Doss, Meeks, Gafford, Adwell, Weeks, Erdreich, Falkenburg, McMillan, Wallace, Timmons, Ellis, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride:

H. 1849. To provide that the governing body of any county of the state having a population of 500,000 or more according to the last or any subsequent federal census shall be authorized to accord persons who are members of the Pension System established for officers and employees of the county the option to convert all, or any part of, their unpaid membership time to paid membership time; provided, however, that such power shall be subject to the conditions and limitations prescribed in the Act.

Also:

By Messrs. Doss, Meeks, Adwell, Gafford, Weeks, Erdreich, Falkenburg, Wallace, McMillan, Ellis, Timmons, Boles, Boutwell, Hughes, Bowers, Waggoner, and McBride:

H. 1853. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579), as heretofore amended, which Act established in and for every city of the state having a population of two hundred and fifty thousand or more according to the last or any succeeding federal census a pension and relief system for officers and employees of such city and their widows and children.

Also:

By Messrs. Meeks, Adwell, Gafford, Doss, Weeks, Erdreich, Falkenburg, Wallace, McMillan, Ellis, Timmons, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride:

H. 1854. To submit to the qualified electors of Alabama an amendment to the Constitution of said State providing that the governing body of the city of Birmingham shall have the power to supplement the pension or benefit payable from, or out of, a pension system established for city personnel provided that such supplement is based upon an increase in the cost of living occurring since establishment of the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

Also:

By Messrs. Meeks, Adwell, Doss, Weeks, Gafford, Erdreich, Falkenburg, McMillan, Wallace, Ellis, Timmons, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride:

H. 1855. To amend sub-section (a) of Section 12 of Act No. 497

of the Regular Session of the Legislature of Alabama 1965 (Ala. Acts, 1965, page 717 et seq.), establishing a pension system for officers and employees of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, herein called "the proposed law", which will amend, in the respect below stated, subsection (a) of Section 12 of Act No. 497 of the Regular Session of the Legislature of 1965, as heretofore amended.

The proposed law would make these two changes, designated as Change 1 and Change 2 to said subsection (a).

Change 1. This change relates to the first sentence in said subsection (a), which requires ten (10) years' paid membership time as a condition to a member being entitled to a benefit for a nonservice connected disability. In that sentence this charge would substitute five (5) years for ten (10) years.

Change 2. Presently subsection (b) does not provide for any minimum nonservice connected disability. Change 2 would provide that the minimum nonservice connected disability shall be thirty percent (30%) of the salary the disabled employee was receiving when the disability occurred.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Meeks, Gafford, Adwell, Doss, Weeks, Erdreich, Falkenburg, McMillan, Wallace, Timmons, Ellis, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride:

H. 1856. To amend Section 4 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, page 717), establishing a pension system for officers and employees of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for adoption of a law,

herein called "the proposed law", which will amend in the respect below stated Act No. 497 of the Regular Session of the Legislature of 1965, as heretofore amended.

Act No. 497 established a pension system for officers and employees of Jefferson County, Alabama. The proposed law will amend Act No. 497, so as to accord persons now members of the system the option to convert all, or any part of, their unpaid membership time, subject to the conditions and limitations stated in the proposed law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Robertson and Bank:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court clerk in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

Also:

By Mr. Crowe:

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such counties having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessors, tax collectors, probate judges and license commissioners of such counties may belong.

Also:

By Mr. Casey:

H. 1432. Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property and equipment; prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property; and equipment; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to the supervision, regulation, and control of the county commission, board of revenue, or other like governing body of Cleburne County, and any rules and regulations which such body may promulgate from time to time in exercising its authority under this Act, all purchases for the county shall be made by such county governing body or its duly authorized agent. And the probate judge, as Chairman of the county commission, shall function as purchasing agent without additional compensation. The provisions of this Act shall have application to all purchases made by or for Cleburne County, whether such purchases are made by the county governing body as such, or by its purchasing agent. The purchasing agent shall make all purchases of supplies, materials, equipment, and contractual services (which term as used in the Act shall not include purchase of insurance or contracts for professional or other personal services) for the county. In addition to all other powers and duties the purchasing agent shall have the following authority:

(1) To establish standard specifications for supplies, equipment, and materials used by the county officials, offices, and departments;

(2) To operate a central storeroom;

(3) To require county officers, offices and departments to prepare estimates of requirements;

(4) To transfer among the county officers, offices, and departments surplus supplies, equipment and materials, or to sell surplus or obsolete items as provided herein;

(5) To promulgate reasonable rules and regulations governing the acquisition of supplies, materials and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 2. The county commission, board of revenue, or other like governing body, and its clerk, as may be designated by law, shall maintain the books and records of the county in accordance with the accounting and record system prescribed by the State Department of Examiners of Public Accounts. In addition, the commission, shall require a perpetual inventory to be maintained of all tools, tires, machinery, fuel, oil, grease, spare parts supplies and equipment belonging to or leased by Cleburne County. Such inventory shall be made by the purchasing agent or someone designated by him and the record of such perpetual inventory shall be kept on file in the office of the purchasing agent, and, shall be open to public inspection at all reasonable times. Such inventory record shall show where such property is located, and in whose possession or under whose control it is. In addition, the purchasing agent shall mark or label all such property owned by Cleburne County in letters of sufficient size so as to make the property clearly distinguishable as being property of Cleburne County.

Section 3. Supplies, materials, equipment and services shall be furnished to the county officers, offices, and departments only upon written requisition setting forth the articles needed and signed by the officer for whose office the articles are requested. The requisitions shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the article will be used except in conducting the public business. The requisitions, with the purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

The provisions of this Act requiring purchases to be made through the county commission may be waived in the case of small purchases costing no more than fifty dollars (\$50.00), provided that no such purchase is part of a larger purchase which has been divided for the purpose of coming within this exception.

All county officers, and all county offices and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased for him or it, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 4. The purchasing agent shall obtain at least three written, sealed, competitive bids on all purchases of supplies, materials, equipment, and contractual services when the amount involved is Five Hundred and No-100 (\$500.00) Dollars or more. If the proposed purchase or contract involves an amount less than Five Hundred and No-100

(\$500.00) Dollars, the purchase may be made either on the basis of sealed bids or in the open market. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than Five Hundred and No-100 (\$500.00) Dollars for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county courthouse at least ten days prior to the meeting at which the purchase is to be made and advertised in a newspaper of general circulation in the county at the discretion of the purchasing agent. If the amount of the proposed purchase or the proposed contract is in excess of Five Hundred and No-100 (\$500.00) Dollars, written notice by registered mail, with return receipt requested shall be given to at least three merchants or dealers in the goods or materials to be purchased, or where notice is of a contract to be let, to at least three contractors engaged in the type of work contemplated. A copy of such notice or notices, together with the return receipts showing their delivery, must be recorded in and shall become a part of the permanent records of the county purchasing agent.

All bids received on proposed purchases or contracts shall be opened publicly at the time and place stated in the invitation to bid. The contract or order shall be awarded to the lowest responsible bidder, or all bids may be rejected and readvertised as provided above. The purchasing agent may obtain information from the Division of Purchases and Stores of the State Department of Finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids may be rejected and the purchase may be negotiated through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award, be open to public inspection. In the event of a sale, trade, or other disposition of any property of the county of any nature or kind the procedure as outlined herein as it relates to the obtaining of written, sealed, competitive bids shall be followed, and such sale, trade, or disposition of the property of the county shall be made in accordance with the most advantageous offer made.

Section 5. In an emergency a purchase not to exceed one thousand five hundred dollars (\$1,500.00) may be made without competitive bids and without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and filed in his office. An emergency, as the term is used herein, means a situation where needed equipment of the county is idle due to lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The record of such emergency transactions shall be open to public inspection. The provisions of this Act regarding competitive bidding and obtaining information from State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 6. In making purchases for the county the purchasing agent shall give preference to commodities produced or sold in Cleburne County, provided there is no sacrifice or loss in price or quality.

Section 7. All contracts of whatever nature for the sale or disposal of tangible personal property owned by Cleburne County, shall be let by free and open competitive public auction or sealed bids. Every

proposal to make a sale covered by this Act shall be advertised for at least two weeks in advance of the date fixed for receiving the bids. Such advertisement shall appear at least once a week for two consecutive weeks in a newspaper of general circulation in Cleburne Calhoun and a copy of such proposal shall simultaneously be posed on a readily accessible public bulletin board at the Cleburne County Courthouse. The advertisements shall further state the date, time and place of auction or opening of sealed bids and no bid shall be received at any time after the time advertised. The bids shall be publicly taken, or opened in the case of sealed bids, by the purchasing agent and all bidders shall be entitled to be present in person or by representative. The bid of the successful bidder so marked, as well as the bids of the unsuccessful bidders in the case of sealed bids shall be placed on file in the office of the purchasing agent and opened to public inspection. In the event that all bids received are less than the estimated market value of the property the purchasing agent may reject all bids and readvertise as provided above.

All proceeds from sales made under the provisions of this Act shall be paid into the County Treasury to be credited to the fund from which originally purchased.

Section 8. Whoever purchases or disposes of, or attempts to purchase or dispose of property for or on behalf of Cleburne County contrary to the provisions of this Act, or whoever violates any provision of this Act, is guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), and in addition may be imprisoned in the penitentiary for one year and one day.

Section 9. The county commission, board of revenue, or other like county governing body of Cleburne County shall provide the purchasing agent with the quarters, supplies, books, equipment, postage, and assistance necessary for the proper and efficient conduct of his duties. The purchasing agent may employ, County expense, not more than one employee for the administration of this act.

Section 10. Before entering upon the discharge of his duties, the county purchasing agent shall execute a bond in the sum of five thousand dollars (\$5,000.00). The bond shall be payable to Cleburne County, with good and sufficient surety, and shall be conditioned upon the faithful discharge and performance of his duties. The bond shall be filed and recorded in the office of the judge of probate of the county, and the premium thereon shall be paid by the county.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor & publisher of the Cleburne New Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four

successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 15, Mar. 29, Apr. 5, and Apr. 12, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON,
Notary Public.

Also:

By Messrs. Wise and Jackson:

H. 1807. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama as its regular session, which began in May, 1973, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Geneva County Inferior Court established pursuant to Act No. 538, H. 1009, Regular Session 1939 (Local Acts 1939, p. 329) shall have in addition to the jurisdiction now authorized by law, jurisdiction concurrently with the circuit court of matters, suits and actions of law in amounts of not more than \$2,000.00.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon it otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26 and August 2, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 2, 1973.

O. T. SPIVEY,
Notary Public.

Also:

By Messrs. Wise and Jackson:

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at its regular session, which began in May, 1973, and application for its passage and enactment will be made to wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 386, H. 960, Regular Session, 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act. No. 286, H. 960, Regular Session 1962 (Acts 1969, Regular Session, p. 764) is hereby amended to read as follows:

"Section 1. The Judge of the Inferior Court of Geneva County shall receive a salary of not more than \$15,000.00, per annum, to be determined before each term of said Judge begins by resolution of the Geneva County Commission or other governing body of said county, payable in equal monthly installments out of the general fund of the county upon the warrant of the probate judge. Such warrant shall be a preferred claim against the general fund."

Section 2. This Act shall become effective upon the expiration of the term of the incumbent judge of the Geneva County Inferior Court.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 2, 1973.

O. T. SPIVEY,
Notary Public.

Also:

By Messrs. Wise and Jackson:

H. 1836. To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA.
COUNTY OF GENEVA.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at its regular session, which began in May, 1973, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the County Solicitor (Deputy District Attorney) of Geneva County is fixed at not more than \$3,600.00. per annum, to be determined by resolution of Geneva County Commission or other governing body of said county. The salary shall be paid in equal monthly installments out of the general funds of Geneva County by the Geneva County Commission or other governing body of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four

successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year of 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 2, 1973.

O. T. SPIVEY,
Notary Public.

Also:

By Mr. Casey:

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Also:

By Mr. Crowe:

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

Also:

By Mr. Crowe:

H. 1860. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 619, 1752, 1780, 1847, 1848, 1849, 1853, 1854, 1855 and 1856. To the Committee on Local Legislation No. 2.

H. B.'s 1300, 1739, 1742, 1743, 1432, 1807, 1809, 1836, 1841, 1842 and 1860. To the Committee on Local Legislation No. 1.

(The above Bill, H. B. 1841, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wise, Jackson, Benton, Kinsey, Owens, Lang, Crawford, Connell, Barkett, Smith (K), Snell, Smith (P), Edwards, Easters and May:

H. 731. To provide for the keeping of records by junk dealers and scrap metal processors of the purchases of copper wire subject to inspection by sheriffs and state law enforcement officers, and to provide a penalty for the violation thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 731. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Williams:

H. 1654. To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
JACKSON COUNTY

LEGAL NOTICE

Pursuant to the Constitution and laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of Alabama for the passage and enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

TO ALTER, REARRANGE AND EXTEND THE BOUNDARY LINES OF THE TOWN OF WOODVILLE, JACKSON COUNTY, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF SAID TOWN ALL TERRITORY NOW WITHIN SUCH CORPORATE

LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS THEREO, IN JACKSON COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the Town of Woodville, Jackson County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, so that the corporate limits of said Town of Woodville shall hereafter be comprised of all the territory lying within the following described boundaries situated in Jackson County, Alabama, to-wit:

Commence at the Southeast corner of the Northeast quarter of the Southwest quarter of Section 13, Township 5 South, Range 3 East; thence run North along the center line of said Section 13 to the Southeast corner of the Southwest quarter of Section 12, Township 5 South, Range 3 East; thence run North along the center line of said Section 12 to the Southeast corner of the Southwest quarter of Section 1, Township 5 South, Range 3 East; thence run North along the center line of said Section 1 to the Southeast corner of the Southwest quarter of Section 36, Township 4 South, Range 3 East; thence run North along the center line of said Section 36 to a point in the Elliott Reservation which point would be the Southeast corner of the Northwest quarter of said Section 36 if the center line of said Section 36 were extended into the Elliott Reservation; thence run West along the center line of said Section 36, if extended, to the Northeast corner of the Southeast quarter of Section 35, Township 4 South, Range 3 East; thence run West along the center line of said Section 35 to a point in the Stevens Reservation which point would be the southeast corner of the Northeast quarter of Section 34, Township 4 South, Range 3 East if the east line of said Section 34 were extended into the Stevens Reservation; thence run South along the East boundary of said Section 34, if extended, to the Northeast corner of Section 3, Township 5 South, Range 3 East; thence continue South along the East boundary of said Section 3 to the Southeast Corner of said Section 3; thence run West along the South boundary of said Section 3 to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 3; thence run South along the center line of the West half of Section 10, Township 5 South, Range 3 East to the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 10; thence continue South along the center line of the West half of Section 15, Township 5 South, Range 3 East; to the Northeast corner of the Southwest quarter of the Southwest quarter of said Section 15; thence run East along the center line of the South half of said Section 15 to the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 15; thence continue East along the center line of the South half of Section 14, Township 5 South, Range 3 East to the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 14; thence continue East along the center line of the South half of Section 13, Township 5 South, Range 3 East to the Southeast corner of the Northeast quarter of the Southwest quarter of said Section 13, the point of beginning.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James K. Harkness, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Sentinel, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 8, 15, 22nd, and 29th, all in the year 1973.

JAMES K. HARKNESS.

Sworn to and subscribed before me 9th day of July, 1973.

EDNA KEALEY,
Bookkeeper - Notary Public.

My Commission Expires Sept. 17, 1975.

Also:

By Mr. Edwards:

H. 1725. Relating to counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 1730. Relating to Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent Federal Decennial Census; to provide for the Clerk of Circuit Court in such Counties to collect Commission on Judgments, except on Garnishments, where the Judgments are collected by said Clerk after Ninety (90) days from the date of rendition.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 1746. To provide that a judge, or former judge, of the County Court of counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census may elect to become a supernumerary judge of said court under certain conditions; to provide for the duties, authority and compensation of any such supernumerary judge.

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 1747. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill substantially the following form will be introduced in the Legislature of Alabama, in the 1973 Regular Session, and application for its passage and enactment made, Viz: Carnes:

SYNOPSIS: This bill allows prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In all capital cases where trial by a jury is held before the Circuit Court of the Sixteenth Judicial Circuit of Alabama, any Circuit Judge of the Sixteenth Judicial Circuit of Alabama is authorized to excuse from service any prospective juror outside the presence of the defendant or defendants provided said juror has a legal excuse for being excused, and it shall be within the discretion of the said Circuit Judge to determine whether said prospective juror's excuse is legal; provided that in no case shall there be a smaller number of jurors to select from in said capital case than provided by law.

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 7, July 14, July 21 and July 28, all in the year 1973.

GLENDA GRIFFIN

Sworn to and subscribed before me, July 31, 1973.

PEGGY CULBERSON,
Notary.

Also:

By Mr. Williams:

H. 1779. Relating to all counties having a population of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Also:

By Mr. Grey (D):

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

By Mr. Grey (D):

H. 1787. To provide expense allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

Also:

By Mr. Grey (D):

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

Also:

By Mr. Grey (D):

H. 1789. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing additional clerk hire allowances for the offices of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

Also:

By Mr. Grey (D):

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

By Mr. Grey (D):

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business

Also:

By Messrs. Cross and Carter:

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Article 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of

the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that

the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1973.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 2, 1973.

LeRUTH G. SLATON,
Notary Public.

Also:

By Messrs. Hardin and Bassett:

H. 1800. To authorize any bank in business as of January 1973 in Butler County to establish, operate and maintain branch banks.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize any bank in business as of January, 1973, in Butler County, to establish, operate and maintain branch banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, within this state, in business as of January, 1973, in Butler County, shall have the power to establish, operate and maintain within the limits of said county, where the principal place of business of such bank is situated, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payments of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks.

Section 2. The provisions of Code of Alabama, 1940, Title 5, Section 125, which conflict with this Act are specifically repealed as to the county in which this Act applies, and all other laws, general or local, in conflict herewith are also repealed as to such county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, W. E. Hardin who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of July 12, July 19, July 26 and Aug. 2, 1973.

W. E. HARDIN.

Sworn to and subscribed before me, this 2nd day of August, 1973.

PAULINE B. FULTON,
Notary Public.

Also:

By Messrs. Bassett and Hardin:

H. 1801. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Also:

By Messrs. Bassett and Hardin:

H. 1803. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Also:

By Mr. May:

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Also:

By Mr. Cauthen:

H. 1834. To provide for the creation of public corporations in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be

able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 1845. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to impose certain additional privilege or license taxes upon the sale of malt or brewed beverages in certain areas of said counties, and to provide for the collection and distribution of said taxes.

Also:

By Messrs. Coshatt and Reid (R):

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

Also:

By Mr. Williams:

H. 1857. To amend Act No. 379, H. 937, Regular Session 1969 (Acts 1969, p. 750) which establishes a secretary for the Deputy District Attorney of all counties having a population of not less than 38,100 nor more than 40,500, in order to further regulate the salary of said secretary.

Also:

By Messrs. Taylor, Barron and Hobbie:

H. 1525. To provide for supernumerary sheriffs in the various counties in the State of Alabama having a population of not less than 150,000 and not more than 180,000 according to the last Federal Decen-

nial Census, setting up the requirements and qualifications, fixing their compensation, status and tenure of office, and providing for the payment of their salaries.

Also:

By Messrs. Taylor, Jones (F), Harris, Barron and Hobbie:

H. 1461. To amend Section 6, Section 9, Section 15, Section 18 and Section 24 of Act Number 1606, H. 1891 approved September 17, 1971, Regular Session 1971 (Acts 1971, p. 2761) to create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City of Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross premiums now being collected from fire insurance companies doing business with such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials in connection with the said board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1654, 1725, 1730, 1746, 1747, 1779, 1786, 1787, 1788, 1789, 1790, 1791, 1799, 1800, 1801, 1803, 1806, 1834, 1845, 1846, 1857, 1525 and 1461. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Mr. Collins:

H. 98. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, P. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, P. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, P. 597), relating to the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000 is amended further to read as follows:

"Section 1. In all counties having populations of not less than 300,000 nor more than 500,000, according to the last federal decennial census, the chief deputy sheriff shall be paid a salary of not less than Step A of Range 58 nor more than Step D of Range 58 as set forth in the Pay Plan of the Personnel Board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties; the chief clerk in the sheriff's department shall be paid a salary of not less than Step A of Range 58 nor more than Step D of Range 58 as set forth in the pay plan of the personnel board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties; the chief investigator in the sheriff's department shall be paid a salary of not less than Step A of Range 53 nor more than Step D of Range 53 as set forth in the pay plan of the personnel board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties; the assistant chief deputy in the sheriff's department shall be paid a salary of not less than Step A of Range 53 nor more than Step D of Range 53 as set forth in the pay plan of the Personnel Board, said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties. The salaries of all of the above listed assistants in the sheriff's department shall be payable in equal monthly installments upon warrants drawn in the same manner prescribed for payment of compensation of county employees."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a news-

paper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Lyons:

H. 1678. To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Also:

By Mr. Collins:

H. 97. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, and further amended by an Act of the Legislature of Alabama, being Local Act No. 612, approved August 29, 1969, page 1119 of the Local Acts of Alabama of 1969, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136

of the Local Acts of 1961, and further amended by an Act of the Legislature of Alabama, being Local Act No. 612, approved August 29, 1969, page 1119 of the Local Acts of Alabama of 1969, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of an Act of the Legislature of Alabama being Local Act No. 102, approved June 3, 1943, page 59 of the Local Acts of 1943, which was amended by an Act of the Legislature of Alabama, being Local Acts No. 781, approved September 8, 1961, page 1136 of the Local Acts of Alabama of 1961, and further amended by an Act of the Legislature of Alabama, being Local Act No. 612, approved August 29, 1969, page 1119 of the Local Acts of Alabama of 1969, be and the same is hereby amended so as to read as follows: "Section 2. Such attorney so appointed shall receive as his compensation seven thousand two hundred and no-100 (\$7200.00) dollars per annum, payable in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County."

Section 2. That all laws or parts of laws, general, local or special, in conflict with the provisions of this Act be, and the same are hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage by the Legislature and its approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Collins:

H. 99. Relating to Mobile County: To amend further Section 1 of an Act Approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act 594, H. 1044, Regular Session 1939 (Local Acts 1939, p. 355), an act regulating the compensation of the Sheriff of Mobile County, as amended, is amended further to read as follows:

"Section 1. At the expiration of the term of the incumbent, the sheriff of Mobile County shall be paid twenty five thousand dollars (\$25,000 per annum as salary or compensation. Such sum shall be paid out of the County treasury of Mobile County, Alabama, in equal monthly installments at the end of each month, upon warrants drawn in the same manner as other officers and employees of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Collins:

H. 273. To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 p. 356) Entitled "An Act To Fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 P. 356) entitled "an act to fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 111, H. 419, regular session 1955 (acts of Alabama, 1955, P. 356), as amended, entitled "an act to fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," is amended further to read as follows:

"Section 1. The tax collector of Mobile County shall be compensated on a salary basis. He shall be paid a salary of twenty two thousand five hundred dollars (\$22,500.00) per annum. Such salary shall be paid in twelve equal monthly installments in the manner prescribed by Act No. 241, H. 401, approved August 15, 1935."

Section 2. The provisions of Act No. 241, H. 401, regular session 1935 (local acts 1935, P. 139) and all other laws in conflict herewith are hereby repealed.

Section 3. This act shall take effect at the commencement of the term of office of the tax collector of Mobile County which begins next after the passage and approval of this act.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register Apr. 4, 11, 18, 25.

JUDY BEASLEY.

Sworn to and subscribed before me this 25th day of Apr. 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Messrs. Wood, Perloff, Nettles, and Downing:

H. 276. To provide that in all counties having populations of not less than 300,000 nor more than 500,000 inhabitants according to the last or any succeeding census, the county governing body of such counties is authorized to pay a monthly pension to any public law librarians upon retirement.

Also:

By Messrs. Hale, Lutz, Hearn, King and Grainger:

H. 1817. To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Creation of office. There is hereby created in Madison County, Alabama, the office of warrant magistrate.

Section 2. Appointment; tenure of office. The Madison County Commission or other like governing body of said county shall appoint, by resolution of the said governing body, a warrant magistrate for said county.

Section 3. Qualifications. No person shall be appointed a warrant magistrate unless he be over the age of twenty-five years, of good moral character and have a high school education or its equivalent.

Section 4. Appointment of assistants. The warrant magistrate shall have authority, subject to the approval of the county governing body, to appoint assistant warrant magistrates. Assistant warrant magistrates shall meet the same qualifications as the magistrate. Assistant warrant magistrates may be appointed on a part-time basis.

Section 5. Duties. The duties of the warrant magistrate or any duly authorized assistant warrant magistrate shall be as follows:

- a. To take evidence and oaths in support of affidavits in criminal cases and to issue warrants of arrest thereon;
- b. To take evidence and affidavits in support of search warrants and to issue warrants in the manner prescribed by law at Title 15, Section 199, et seq, Code of Alabama 1940, as last amended;
- c. To set bonds for appearance in any criminal case;
- d. To approve appearance bonds in any criminal case;
- e. To otherwise exercise the full power and authority of a judicial officer and magistrate in and about the initiation of criminal charges and such magistrate shall have the full judicial immunity concerning any act performed in good faith in his official capacity.

The powers and authority of the warrant magistrate or assistant warrant magistrates are supplemental and in addition to the powers and authorities of duly elected or appointed judges of Madison County, Alabama.

Section 6. Compensation. The salary of the warrant magistrate or any assistant warrant magistrate shall be fixed by the personnel board of said county, and shall be payable in monthly installments out of the General Fund of the county by warrant properly drawn on said fund.

Section 7. Office Space. Suitable office space and all stationery, equipment, supplies and postage necessary for the conduct of the office so created by this Act shall be furnished by the governing body of the county.

Section 8. Clerks and assistants. With the approval of the county governing body, the warrant magistrate may appoint a sufficient number of clerks, including a chief clerk, and assistants, so that the duties of the office of warrant magistrate can be properly performed. The compensation of those persons appointed under this section shall be fixed by the county governing body in accordance with the pay plan promulgated by the county governing body and the county personnel board and shall be paid out of the General Fund of the county in the same manner as the salaries of other county employees shall be paid.

Section 9. All persons appointed or employed pursuant to the provisions of this Act, including but not limited to the warrant magistrate and assistant warrant magistrates, shall be subject to the provisions of Act No. 1392, H. 2307, 1971 Regular Session, as last amended, which created a countywide personnel system.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of

The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 4, 11, 18, and 25, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 25th day of July, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Grainger, King, Hale, Lutz and Hearn:

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-Third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

Also:

By Messrs. Hearn, King, Grainger, Hale and Lutz:

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys.

Also:

By Messrs. King, Grainger, Lutz, Hale and Hearn:

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

Also:

By Messrs. Hale, Hearn, Lutz, King and Grainger:

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

Also:

By Messrs. Hale, Hearn, King, Lutz and Grainger:

H. 1822. Relating to counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 98, 97, 99, 273, 276, 1817, 1818, 1819, 1820, 1821 and 1822. To the Committee on Local Legislation No. 1.

H. B. 1678. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hale, Williams, St. John, Bowers, Reed (T), Hobbie, Jones (F), Harris, Adams, Wood, Smith (K), Nettles, Crowe and Carter:

H. 895. Concerning the licensing, regulation, and inspection of employment services as herein defined; providing for the enforcement of these regulations by the Department of Industrial Relations providing penalties for the violation thereof, and repealing all existing laws in conflict herewith.

Also:

By Mr. Edwards:

H. 1158. To amend Section 2 of Act No. 737, H. 649, Regular Session 1953 (Acts 1953, p. 1000), pertaining to the deposition of revenues derived from the sale of sand and gravel taken from the public water bottoms and state lands, so as to provide for an increase from five percent (5%) to seven and one-half percent (7½%) in the amount received by the State Lands Division of the Department of Conservation and Natural Resources as cost of administration of said lands.

Also:

By Mr. Edwards:

H. 1159. To amend Section 9 of Act No. 341, H. 26, Regular Session 1945 (Acts 1945, p. 554), which pertains to the Department of Conservation and Natural Resources' powers and duties with respect to lands owned by the State of Alabama, so as to provide that the maximum amount charged by said Department for administering, managing, protecting or developing state owned land will be raised from five percent (5%) of the gross income derived from said land to seven and one-half percent (7½%).

Also:

By Messrs. Erdreich, Jones (F), Ellis and McBride:

H. 419. To amend Title 52, Section 100, Code of Alabama, 1940, changing the name of School Trustees to that of Local School Advisory Committee and to repeal Title 52, Sections 138, 139, 140, 141, 143, 144, 145, 146, and 147 and to further provide for the selection of Local School Advisory Committees and specify their powers.

Also:

By Messrs. Kinsey, Carter, King, Hill, Cross, Cauthen, Agee, Adams, McCorquodale, Warren, Benton and May:

H. 1312. Providing penalties for any non-resident of this state who gives false information in order to obtain a resident hunting or fishing license.

Also:

By Messrs. Kinsey, Carter, King, Hill, Cross, Cauthen, Agee, Adams, McCorquodale, Warren, Benton and May:

H. 1313. To amend Section 39 and Section 40, Title 8, Code of Alabama 1940, as amended, which sections relates to the cost of non-

resident fishing license, so as to further regulate the costs of said licenses.

Also:

By Messrs. Kinsey, Carter, King, Hill, Cross, Cauthen, Agee, Adams, McCorquodale, Warren, Benton and May:

H. 1311. Relating to non-resident hunting licenses; amending Section 2 and Section 4 of Act No. 751, H. 330, Regular Session 1965, (Acts 1965, p. 1365), so as to increase the cost of various types of non-resident hunting licenses.

Also:

By Messrs. Bowers, Meeks, Weeks, Boutwell and Gafford:

H. 952. To amend further Code of Alabama 1940, Title 55, Section 305 which relates to the establishment of employment registers under the Merit System law for the various classes of positions in the classified service of the State of Alabama, in order to clarify the extension of veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Also:

By Messrs. Callahan and Lyons:

H. 1583. To amend further Section 12 of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8) as amended by Act No. 83, 1956 Second Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), which relates to establishing drilling units and the minimum and maximum size of drilling units.

Also:

By Messrs. Callahan and Lyons:

H. 1584. To amend Section 25 of Act No. 1, 1945, General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 1), which relates to oil and gas and the State Oil and Gas Board, by increasing the permit fee for oil and gas wells from \$25.00 per well to \$100.00 per well, and to provide for the deposition of permit fees, penalties and publication fees in the Oil and Gas Fund; said fund to be used by the Oil and Gas Supervisor to defray expenses incurred by the Supervisor in the performance of his duties under this article.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 895, 1158, 1159, 419, 1583 and 1584. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 1312, 1313 and 1311. To the Committee on Conservation.

H. B. 952. To the Committee on Military.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Therrell:

H. 1526. Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

Also:

By Messrs. Stokes, Nettles, Downing and Callahan:

H. 442. To further amend Section 2 of Act No. 287, H. 193, First Special Session 1965 (Acts 1965, p. 395), which section relates to the compensation of members of the board of commissioners in cities having populations of not less than 175,000 nor more than 275,000 inhabitants, according to the last federal decennial census, so as to increase the compensation of said members.

Also:

By Messrs. Stokes, Nettles, Downing and Roberts:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

Also:

By Messrs. Gray (F) and Reed (T):

H. 1450. Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Macon County; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such county.

Be It Enacted by the Legislature of Alabama:

Section 1. Any law or regulation of the Alcoholic Beverage Control Board notwithstanding, it shall be legal to manufacture spirituous, vinous, fermented or otherwise alcoholic beverages and beer, lager beer, ale, porter or similar fermented malt liquor in Macon County and to transport, sell and deliver such vinous beverages and malt or brewed beverages to the Alcoholic Beverage Control Board or to wholesalers, distributors or jobbers outside the state.

Section 2. Nothing herein shall be construed to authorize the sale of such vinous liquor or malt or brewed beverages without payment of any lawful taxes due.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24th, May 31st, June 7th, and June 14th, all in the year 1973.

NEIL O. DAVIS,
Publisher.

Sworn to and subscribed before me June 15th, 1973.

ALICE M. WHITE,
Notary Public.

Also:

By Messrs. Doss, Meeks, Adwell, Gafford, Weeks, Erdreich, Falkenburg, McMillan, Wallace, Timmons, Ellis, Boles, Boutwell, Hughes, Bowers, Waggoner and McBride:

H. 1850. To further amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, (Ala. Acts, 1965, page 717 et seq.), as heretofore amended, establishing a Pension System for officers and employees of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, herein called "the proposed law", amending the following provisions of subsection (b) of Section 10 of Act No. 497 of the Regular Session of the Legislature of 1965:

"(1) One and three-fourths percent ($1\frac{3}{4}\%$) of his basic average salary multiplied by the number of years of his paid membership time as shall not exceed thirty (30) years; plus

"(2) One percent (1%) of his basic average salary multiplied by the number of years of his paid membership time in excess of thirty (30) years; plus

"(3) One-half of one percent ($\frac{1}{2}$ of 1%) of his basic average salary multiplied by the number of years of his unpaid membership time."

The proposed law would amend the above quoted provisions of said subsection (b) to read as follows:

"(1) Two percent (2%) of his basic average salary multiplied by the number of years of his paid membership time as shall not exceed thirty (30) years; plus

"(2) One and one-fourth percent ($1\frac{1}{4}\%$) of his basic average salary multiplied by the number of years of his paid membership time in excess of thirty (30) years; plus

"(3) Three-fourths of one percent ($\frac{3}{4}$ of 1%) of his basic average salary multiplied by the number of years of his unpaid membership time.

"The maximum benefit payable under this subsection (b) of Section 10 shall not exceed sixty-five percent (65%) of the member's basic average salary."

Under the proposed law the increase in benefits will apply to those retiring before or after adoption of such law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973, application will be made for a law, herein called "the proposed law", which will amend in the respect below stated, Section 10 of Act No. 497 of the Regular Session of 1965.

The proposed law will insert the two provisions below summarized under the captions "AMENDMENT I" and "AMENDMENT II":

AMENDMENT I

Amendment I will provide for a vested interest in the System of the employees contributions and the county matching contributions after 15 years paid service of an employee. The pension benefits to be calculated at the normal retirement date provided and the formula stated in the law.

AMENDMENT II

Amendment II will provide for a deferred pension after a member has accumulated 20 years with the county, at least 10 years of which shall be paid membership time, payment to begin at age 55, without any future payments to the retirement fund following his retirement.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Lyons, Callahan, Perloff, Downing, Roberts, Nettles, Wood and Collins:

H. 1523. To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization to provide services to and for the benefit of the citizens of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization

to provide services to and for the benefit of the citizens of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission of Mobile County is authorized to make appropriations from the General Fund of the County for the support and operation of Senior Citizens Services, Inc., a corporation incorporated under the Alabama Nonprofit Corporations Act, whose sole purpose is to provide, on a nondiscriminatory basis, services which are in the best interest of and beneficial to the citizens of Mobile County, especially those of age 55 and older. Such appropriations may be made in such amounts and on such schedule of payments as the County Commission shall in its discretion determine.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register June 20, 27, July 4, 11, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 12th day of July, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Collins:

H. 96. Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for fees to be paid the Sheriff for service of the original complaint and summons in every civil case filed in any court in such counties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census; providing for a traveling expense for the serving of any sum-

mons or other mesne process, except subpoenas for witnesses, in any such counties coming under the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the fee and allowance of the Sheriff of all counties having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census, there shall be allowed the sum of one dollar (\$1.00) for traveling expense for each trip made in serving any summons or other mesne process, except subpoenas for witnesses. Traveling expense shall be allowed only for one trip in serving any summons or other mesne process as provided for above, and no mileage fee shall be charged, demanded or received for such service.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 23, March 30, April 6, and April 13, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me April 16, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Wood:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1526, 1843, 442, 1624, 1450, 1523, 96 and 1599. To the Committee on Local Legislation No. 1.

H. B. 1850. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Coshatt:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by referendum vote of the populace.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
ST. CLAIR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973, if approved by a referendum vote of the populace.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the effective date of this act and thereafter the annual compensation of the following officials of St. Clair County shall be as hereinafter designated:

(A) Probate Judge — Fifteen thousand dollars annually. (\$15,000).

(B) Circuit Clerk — Ten thousand five hundred dollars annually. (\$10,500).

(C) Tax Assessor — Ten thousand five hundred dollars annually. (\$10,500)

(D) Tax Collector — Ten thousand five hundred dollars annually. (\$10,500)

Section 2. In addition to the above mentioned annual compensation, each of the designated officers shall receive a monthly expense allowance of one hundred twenty-five dollars (\$125) to be expended in carrying out the duties of the position.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective October 1, 1973, but only if approved by a majority of the qualified electors of St. Clair County voting at a referendum election held not less than three months after the final adjournment of the legislative session at which this law is enacted. The governing body of St. Clair Coun-

ty shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the Provisions of Act No. of the 1973 Session of the Legislature, which adjusts and fixes the salaries, and allowances of certain officers of St. Clair County, be adopted? Yes () No ()."

If a majority of the votes cast at the election are "Yes," the provisions of this act shall become effective October 1, 1973. If a majority of the votes cast in the election under this act are "No," this act shall have no effect. The results of the election, however, shall be certified by the Judge of Probate of St. Clair County to the Secretary of State, who shall make a permanent record thereof.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 23, 1973.

ANNE T. MILAM,
Notary Public.

Also:

By Messrs. Gafford, Timmons, Dill, Wallace, Hughes, Boles, McNair, Doss, Boutwell, McBride, Waggoner, Meeks, Weeks, Adwell, Bow-ers and McMillan:

H. 892. To amend Section 3 of Act No. 530, H. 1096, Regular Session 1959 (Acts 1959, p. 1305), so as to further provide for voter re-identification in all counties in the state having a population of 500,-000 or more according to the last or any subsequent federal census.

Also:

By Messrs. Erdreich, Doss, Boutwell, Boles, Hughes, Waggoner, Weeks, Dill, McMillan, McNair, Jones (E), Ellis and McBride:

H. 1381. Further providing for the service of process by constables issued by the courts in Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Further providing for the service of processes by Constables issued by the Courts in Jefferson County, Alabama.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 16, 23, 30, July 7, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER

Sworn and subscribed to on this the 9th day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Boles, Dill, Ellis, Hughes, McNair, Erdeich, Weeks, Boutwell, Meeks and McBride:

H. 1340. To amend Act No. 798, H. 486 of the Regular Session of 1965, an Act "Regulating costs and charges of courts in Jefferson County; prescribing the fees and commissions of constables, and repealing conflicting laws," so as to provide that constables shall receive the same fees for certain services prescribed for sheriffs performing like services.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE is hereby given that two bills substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

To amend Act No. 798, H. 486 of the Regular Session of 1965, an Act "Regulating costs and charges of courts in Jefferson County; etc.

To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal decennial census, for serving summons of witnesses; and repealing conflicting laws.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER

OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 2, 9, 16, 23, 1973, a legal notice a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,

Publisher.

Sworn and subscribed to on this the 25th day of June, 1973.

KAREN W. ABERCROMBIE,

Notary Public.

Also:

By Messrs. Falkenburg, Doss, Gafford, McMillan, Boles, Adwell, Hughes, McNair, Boutwell, McBride, Weeks, Ellis, Wallace, Meeks, Bowers and Dill:

H. 1483. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

LEGAL NOTICE

STATE OF ALABAMA JEFFERSON COUNTY

Notice is hereby given that a bill will be introduced in the current Regular Session, or at the next Special Session, of the Alabama Legislature for the passage of an Act to provide Judicial Officers in Jefferson County; to designate them as supernumerary county court judges of Jefferson County; to provide the conditions under which a county court judge of Jefferson County may become a supernumerary county court judge of Jefferson County; to prescribe the qualifications, tenure of office, duties, powers, authority and compensation and method of removal of supernumerary county court judges of Jefferson County and to regulate the duties of other officers with respect thereto; to make any other provisions appropriate to the purposes and implementation of this Act and to repeal conflicting laws.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 2, 9, 16, 23, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,

Publisher.

Sworn and subscribed to on this the 25th day of June, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Ellis, Gafford, Dill, Timmons, Boles, Hughes, Meeks, Waggoner, McNair, Boutwell, Bowers, Weeks, McMillan, Falkenburg, Erdreich, McBride and Doss:

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1626. To the Committee on Local Legislation No. 1.

H. B.'s 892, 1381, 1340, 1483 and 1592. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Kinsey and Benton:

H. 401. To amend Act No. 880, H. 675 of the Regular Session of 1965 which applies in all counties having populations of 60,000 or more according to the 1960 federal decennial census and special courts where probation services for juvenile delinquents is not now provided by the Department of Pensions and Security and regulates the expenditure of state and county funds to pay for the cost of the salaries of juvenile court probation officers in such counties, and makes an appropriation therefor, amending such Act so as to make such Act apply to counties having populations of 59,000 or more according to the most recent federal decennial census.

Also:

By Messrs. Stewart, Erdreich, Crowe, Roberts, Doss and Cauthen:

H. 989. To provide for the creation, staffing, and functioning of a fiscal office to serve both houses of the Legislature and the members thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 401. To the Committee on Finance and Taxation.

H. B. 989. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. St. John and Dill:

H. 809. To amend further Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, which Act regulates the conduct of the real estate business in Alabama, by including travel expenses for certain officials of the Real Estate Commission, by exempting license fees from the Consumer Credit Act of 1971; by revising the requirements for license; by revising the appeals procedure; and by repealing the requirement for the publishing of a roster for licensees.

Also:

By Messrs. St. John and Dill:

H. 1084. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745) as amended, which Act regulates the conduct of the Real Estate business in Alabama, by providing that expenditures of the Real Estate Commission may be approved and authorized by the Director of the Real Estate Commission and validating all expenditures of the Commission which were made since October 1, 1972, on the signature of the Director.

Also:

By Messrs. St. John and Dill:

H. 1085. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745), as amended which Act regulates the conduct of the real estate business in Alabama to provide that all licensed real estate brokers shall display a sign at their place of business, and granting the Real Estate Commission the authority to prescribe the dimensions and form of such sign.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 809, 1084 and 1085. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Culver, Hearn, Bank, Coshatt, Wood, Downing, Perloff, Roberts, Easters, Barkett, Callahan, Collins and Robertson:

H. 1014. To create a commission called The Good Neighbor

Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1974-75 bienium; providing for transportation facilities for the commission and for expenses of the commission.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1014. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Timmons:

H. 1636. To further amend Sections 1, 2, 3 and 6 of Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions, Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973, application will be made for the adoption of a law, herein called "the proposed law" which would amend in the respect below stated, Sections 1, 2, 3 and 6, of Act No. 22 of the Second Special Session of 1956, approved March 23rd, 1956, (Ala. Acts., Special Sessions of 1956, Page 290 et seq.) as heretofore amended.

The proposed law would delete the following word and figures:

"September 1, 1964"

whenever said word and figures appear in said Sections 1, 2, 3 and 6; and in place and instead of said word and figures deleted, as aforesaid, the proposed law would substitute the following word and figures:

"September 1, 1971"

Said Act 22 now provides that pensions of persons retired under Act No. 307 of the Regular Session of the Legislature of 1943, (Ala. Acts 1943, P. 264) shall be based on, or related to, salaries of active members of the Fire Department in effect on September 1, 1964. The purpose of the proposed law is to secure the pensions to be based on, or related to, salaries of active members of the Fire Department in effect on September 1, 1971. If that date is not acceptable to the Leg-

islature, application will be made for a provision, in the proposed law, requiring the said pensions to be based on, or related to, salaries of active members of the Fire Department in effect on some other date between September 1, 1964 and September 1, 1971.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of June 30, July 7, 14, 21, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 23rd day of July, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. McMillan, Hughes, McNair, Bowers, Ellis and Erdreich:

H. 1659. Providing further for County Zoning and Planning Commissions in Counties having a population of not less than 600,000 inhabitants according to the most recent federal decennial census.

Also:

By Messrs. Erdreich, Meeks, Adwell, Falkenburg, Dill, Doss, Boutwell, Weeks, Timmons, McMillan, Boles, Hughes, Bowers and McNair:

H. 1621. To grant to any Civic Center Authority now or hereafter incorporated in any County having a population of more than 500,000, according to the last or any subsequent Federal census, organized under the provisions of Act No. 547, enacted by the Legislature of Alabama at its 1965 Regular Session and approved August 20, 1965 (Acts of 1965, pp. 797, et seq.) as amended, the power and authority to borrow money, to issue as evidence of its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the refunding thereof by the issuance of notes or bonds.

Also:

By Messrs. Doss, Boutwell, Wallace, Falkenburg, Meeks, Waggoner, McMillan, Hughes, Timmons, Jones (E), Ellis, Dill, Weeks, Gafford and Adwell:

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Also:

By Messrs. McBride, Doss, Boles and Hughes:

H. 1615. To apply to all counties having populations of 500,000 or more inhabitants according to the last or any subsequent federal decennial census; to provide and require that in the condemnation of lands for ways and rights of ways for sewer lines and water lines the value of any enhancement to the remaining lands of such owner or owners that such sewer line or water line may cause shall be applied to reduce or off-set the value of any land or right-of-way taken or damages to the remainder for the construction of such sewer line or water line.

Also:

By Mr. Perloff:

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1965 (Acts 1956, p. 328), as amended relating to Courts of General Sessions of Mobile.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Synopsis: This bill further amends Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended.

A BILL TO BE ENTITLED AN ACT

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

"Section 8. The Court of General Sessions of Mobile County shall have an exercise civil jurisdiction in Mobile County concurrently with the Circuit Court of Mobile County in all civil matters where the amount in controversy does not exceed three thousand dollars and in addition shall have jurisdiction over all civil matters where the amount in controversy is not more than fifty dollars. The court shall also have jurisdiction in matters pertaining to forcible entry and detainer, and unlawful detainer, where the real property is anywhere within the limits of Mobile County, Alabama. The court shall not have jurisdiction in equity nor of actions of libel, slander, assault and battery, ejectment and actions in the nature of ejectment. Nothing in this act shall be construed to give the judges of the Court of General Session of Mobile County any authority to grant writs of certiorari, supersedeas, quo warranto, prohibition of mandamus, injunction or ne exeat."

Section 2. Section 10 of Act No. 40, S. 4, Second Special Session 1956; Acts 1956, p. 328), as amended, is amended to read as follows:

"Section 10. The costs in civil cases, where the amount in controversy does not exceed three hundred and fifty dollars shall be charged and collected specifically as follows: Summons and proceedings thereon to judgment, \$.50; docketing each cause, \$.50; Attachment Bond and Affidavit, \$2.50; Issuing each attachment, \$1.00; Summoning Garnishee and taking examination, \$.10; Subpoena for each witness, \$.50; Execution and taxing costs thereon, \$.59; each appeal

or certiorari, \$1.50; every necessary certificate or notice not otherwise provided for, \$.50; for issuing each writ of detinue, \$1.00; for each Scire Facias or notice in nature thereof, \$.50; every other bond, \$1.00; administering an oath and certifying same, \$.50; Issuing Notice of Appeal, \$1.00; Judgment Ni Si Contempt and Arrest, \$.50; Alias Summons \$.50.

The costs in civil cases, where the amount in controversy is more than three hundred and fifty dollars shall be charged and collected specifically as follows: Summons and proceedings thereon to judgment, \$1.50; docketing each cause, \$1.00; Issuing each attachment, \$1.00; Summoning Garnishee and taking examination, \$1.00; Subpoena for each witness, \$.50; Execution and taxing costs thereon, \$1.00; each appeal or certiorari, \$1.50; every necessary certificate or notice not otherwise provided for, \$1.00; for issuing each writ of detinue, \$1.00; for each Scire Facias or notice in nature thereof, \$1.00; every other bond, \$1.00; administering an oath and certifying same, \$.50; issuing Notice of Appeal, \$1.00; Judgment Ni Si against garnishee, \$1.00; Writ of Discovery, Contempt and Arrest, \$1.00; Alias Summons, \$1.50. In criminal cases, the following specific costs shall be charged and collected: Each complaint \$.50; Issuing Warrant of Arrest, \$1.00; issuing Search Warrant, \$2.00; issuing subpoena or notice, \$.50; Order of Commitment to jail, \$.50; each continuance, \$.50; taking bond and certifying proceedings on appeal, \$2.00; execution for costs, \$.50; issuing Attachment Warrant, \$1.00; certified copy of transcript, \$2.00; docketing each cause, \$.50; certified copy of bond, \$1.00.

"In addition to the foregoing costs, there shall be collected in each case, as part of the costs thereof, the sum of \$1.00, which shall be collected and paid into the county treasury for the benefit of the County Law Library Fund, provided that in all claims where the amount in controversy is three hundred and fifty dollars or less, said sum shall be \$.50 for said County Law Library Fund."

Section 3. Section 21 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is amended to read as follows:

"Section 21. Any party desiring to appeal from any judgment shall give bond with sureties to be approved by the clerk, and payable to the party in whose favor the judgment was rendered, conditioned to pay and satisfy such judgment and costs as may be taxed against him in the circuit court. All such bonds shall be in amounts fixed by law and shall be filed with and approved by the clerk within ten days from the rendition of the judgment from which the appeal was taken, except that, in the case of an appeal from a money judgment, the bond given shall be in an amount equal to the amount of such judgment and the costs of court. The amount of any appeal bond referred to herein, exclusive of that portion applicable to court cost, shall not be more than fifteen hundred dollars. In lieu of bond with sureties, any such party desiring to appeal from any judgment may deposit with the clerk cash in an amount equal to costs then accrued plus fifty dollars which amount shall be expended, if such party be unsuccessful in said appeal, first to pay costs in the Court of General Sessions and then to pay costs in the circuit court incurred on said appeal and the balance, if any, to be refunded to said party. In the case of an appeal from a money judgment, the party desiring to appeal shall also deposit with the clerk cash in the amount of such judgment, not to exceed, however, fifteen hundred dollars, which amount so deposited shall be applied toward satisfaction of any judgment in the circuit court against such party resulting from such appeal. The balance, if any, or the full amount if such party be successful on appeal, shall be refunded to the party so appealing."

Section 4. Should any word, phrase, clause, section or part of this act be held to be unconstitutional by any court of competent jurisdiction it shall not effect the remainder of this act.

Section 5. This act shall take effect immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register May 1, 8, 15, 22, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 22nd day of May 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Wood:

H. 1748. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County making a change in the rates and purposes for which may be levied and distributed the special tax authorized by the Amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended, and to supersede the Amendment to the said Constitution known as Amendment CCCI.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1636, 1659, 1621, 1513 and 1615. To the Committee on Local Legislation No. 2.

H. B.'s 644 and 1748. To the Committee on Local Legislation No. 1.

(The above Bill, H. B. 1748, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Adams, Flipppo and Naramore:

H. 610. To create a committee to study and review state government audit agencies and audit practices; to provide for the appointment of its members and to fix their terms of office; to prescribe the functions and duties of the committee; to provide for the compensation of its members and payment of its expenses; and to make an appropriation for the use of the committee.

Also:

By Messrs. Jones (E), Boles, Doss, Dill, Timmons, Waggoner, Adwell, Falkenburg and Ellis:

H. 640. To provide for the compensation to be paid the Deputy District Attorneys who are elected by the people, in all counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same, and to provide the date when said act shall go into effect.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the Deputy District Attorneys who are elected by the people, in all counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same, and to provide the date when said act shall go into effect.

Section 1. The Deputy District Attorneys, who are elected by the people, in all counties having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, shall be paid by the State an annual salary of an amount equal to Two Thousand Dollars per year less than the salary which may now or hereafter be paid by the State to Circuit Judges in said counties, payable as salaries of other state officers are paid. Provided further that there shall be paid to the Deputy District Attorneys who are elected by the people in all counties having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, from the general fund of the county treasurer in equal monthly installments an annual supplement to his salary payable by the State an amount equal to Two Thousand Dollars per year less than the salary supplement which may now or hereafter be paid by the said county to the Circuit Judges in such counties, so that the total annual salary of the Deputy District Attorneys, who are elected by the people, shall be Four Thousand Dollars per year less than the total annual salary of Circuit Judges in said counties.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective on the first Monday after the second Tuesday of January, 1975. This being the beginning of the next term of said Deputy District Attorneys.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, Who being duly sworn, says on oath that he is: EDITOR - PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: April 6, 13, 20, 27, 1973.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 27th day of April, 1973.

JOHN E. SMITH,
Notary Public.

Also:

By Mr. Casey:

H. 1149. To permit and provide a procedure for the amendment to the certificate of incorporation of any medical clinic board now existing or hereafter incorporated under the provisions of Act No. 516 of the 1955 Regular Session of the Legislature (General Laws of Alabama, 1955, p. 1160 et seq.) approved September 9, 1955, as amended, and to validate amendments heretofore adopted and filed in substantial compliance with the procedures of this Act.

Also:

By Mr. Casey:

H. 1150. To empower and authorize each corporation organized under the Alabama Non Profit Corporation Act (Acts of 1955, p. 1254, approved September 12, 1955) as amended, and each other corporation not of a business character organized under, or created by, any statute of the State of Alabama, to guarantee or stand surety for the obligations of another non profit corporation if the articles of incorporation of such corporation grant such power to it.

Also:

By Mr. Connell:

H. 1333. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for the fiscal year ending September 30, 1973.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 610 and 1333. To the Committee on Finance and Taxation.

H. B.'s 640, 1149 and 1150. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Timmons, Adwell, Doss, Waggoner, Erdreich, Boutwell, McBride, Bowers, Falkenburg, Boles, Jones (E), Dill, Gafford, Weeks, Ellis and Wallace:

H. 620. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 620. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Owens, Jackson, Drake, Collins, McCorquodale, Williams, Bank, Hardin, Barkett, Chesnut, Warren, Mims, Wise, Crawford, Smith (P), Snell, Pruitt, Connell, Headley, May, Bassett, Kinsey, Lang, Brassell, Culver, Agee, O'Daniel, Cauthen, Adams, Smith (K), Fite, Edwards, Cross and McCluskey:

H. 979. To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 979. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 73. Relating to the method of giving notice of the requirement of attendance of jury service in the 15th Judicial Circuit of Alabama.

Also:

H. 74. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to authorize the Board of Registrars to meet five days each week.

Also:

H. 437. To provide for a secretarial assistant for the district attorney of the 26th Judicial Circuit, establishing the compensation for said position and making the provisions of this Act retroactive to July 1, 1972.

Also:

H. 446. Relating to Marion County; to further regulate branch banking in such county.

Also:

H. 455. Relating to Marion County: To provide for an additional expense allowance for each member of the Marion County Commission.

Also:

H. 458. Relating to Marion County; to provide for the monthly salary and expense allowance of the chief deputy sheriff and all additional deputy sheriffs in said county; repealing conflicting legislation.

Also:

H. 459. To make an appropriation from the Marion County treasury for the relief of Olen Gann.

Also:

H. 461. To authorize any bank situated in an incorporated municipality in Marion County, Alabama to establish, operate and maintain branch banks or additional offices or places of business within said incorporated municipality.

Also:

H. 476. Relating to counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census; to provide that if a defendant in a criminal case enters a written plea of not guilty prior to his arraignment such plea shall constitute a waiver of his right to have an arraignment at which he is present in person or represented by an attorney.

Also:

H. 462. To authorize any municipality in Marion County to operate a public ambulance service and to use any civil defense ambulance or other civil defense equipment they have in their possession for such public ambulance service purposes.

Also:

H. 522. Relating to counties having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to provide that patients at institutions for the insane and mentally retarded and patients at veterans' hospitals shall have free use of all public fishing lakes and public recreational facilities in such counties.

Also:

H. 555. Relating to Blount County: to provide for the nomination and election of the board of education of the county; specifically providing for the election of the members of such board by the qualified electors of Blount County who reside outside the corporate limits of the city of Oneonta and for the nomination of candidates by the qualified electors of designated districts; dividing that part of Blount County lying outside the corporate limits of the city of Oneonta into districts for the purpose of the nomination and election of such members; prescribing the times of election of such members and their qualifications.

Also:

H. 571. Relating to all counties having a population of not less than 16,600 nor more than 16,950 according to the most recent federal decennial census; to provide that the sheriff of such counties shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners; and to make the provisions of this Act retroactive to March 23, 1973.

Also:

H. 573. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff an expense allowance of \$150.00 per month.

Also:

H. 583. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to provide that the county governing body give the sheriff's chief clerk a salary of not less than \$4,800 nor more than \$6,000 per year.

Also:

H. 584. To provide that the Sheriff of Marion County shall be authorized to receive all allowances provided for by law for the feeding and care of prisoners, to make the provisions of this act retroactive to January 18, 1971.

Also:

H. 585. To provide for the appointment of an additional deputy sheriff in Marion County.

Also:

H. 650. To alter and extend the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alteration and extension.

Also:

H. 659. To amend Section 2 of Act No. 137, H. 563 Regular Session 1971, (Acts 1971, p. 415), which act prescribes the qualifications of the county superintendent of education in Marengo County; and regulates his compensation and expense allowances, so as to further regulate said compensation and expense allowances; and providing a retroactive effect therefor.

Also:

H. 670. To permit banks now or hereafter situated in Washington County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

H. 702. To authorize the Clay County governing body to provide protection against forest fires within the county and to assess the whole or a part of the the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 722. To regulate further the compensation of registrars in Houston County.

Also:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Also:

H. 818. To validate the attempted incorporation of the inhabitants of any territory lying within a county having a population of

600,000 or more as a municipal corporation, where any portion of said territory, or its perimeter, lies within three miles of an existing city or town, and the Judge of Probate of said county has made an order that the inhabitants of said territory are incorporated as a town or city; provided however, that this act shall not apply to the incorporation of any municipality heretofore held to be invalid by a court of competent jurisdiction.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 820. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to provide for the appointment by the governing body of the principal municipality in such county of five (5) Directors for the county transit authority provided for by said Act, to provide for the appointment of one director of such authority by each of the three largest participating municipalities in such county, to provide for the initial terms of office of such Directors, to provide for the termination of the term of office of the directors of any existing authority and the election of new directors for such authority, and to provide for the dissolution of such authority and the disposition of its property.

Also:

H. 822. To amend Sections 1, 6, 7, and 9 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent Federal Census a Pension and Relief Fund for officers and employees of the Library Board of such city and for the widows and dependents of such officers and employees, to provide for a custodian of such fund and to provide for the investment, protection, management and distribution of such fund by a Board of Managers created for such purpose."

Also:

H. 854. To fix the fee and allowance of the sheriffs of all counties having populations of 500,000 or more according to the most recent federal decennial census, for serving summons on witnesses; and repealing conflicting laws.

Also:

H. 810. To provide an additional expense allowance for the judge of the circuit court of the twenty-sixth judicial circuit of Alabama.

Also:

H. 889. Relating to CONECUH County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 918. Relating to all counties having a population of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census; to provide for the compensation of the county superintendent of education; and providing a retroactive effect therefor.

Also:

H. 921. Relating to Conecuh County, to provide Clerical Assistance for the Tax Assessor such allowance to be payable out of the General Funds of the County.

Also:

H. 922. To provide an additional clerical allowance to the Circuit Clerk of Conecuh County such allowance to be payable out of the General Funds of the County.

Also:

H. 923. To authorize the sheriff of Autauga County to collect and retain the fees and allowances prescribed by law for feeding prisoners, to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 949. To repeal Act No. 65, H. 205, Regular Session 1955 (Acts 1955, p. 298), approved June 21, 1955, entitled, "An Act To define, regulate and license barbers and barber colleges, and other like businesses in Escambia County, Alabama, State of Alabama; and create a Barbers' Commission for said county; and to provide a penalty for the violation of the provisions hereof, and to fix the powers and duties of said Commission."

Also:

H. 957. To further amend Section 1 of Act No. 134, H. 417, Regular Session 1969 (Acts 1969, p. 408), as amended, which act provides expense allowances to be paid from the Gasoline Tax Fund to the members of the governing bodies of certain counties classified on a population basis.

Also:

H. 980. To further amend Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), as amended, which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Also:

H. 981. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Also:

H. 1003. Relating to counties having a population of not less than 23,900 and not more than 24,450, according to the most recent federal decennial census; to provide for payment of an expense allowance to the judge of intermediate courts in such counties.

Also:

H. 1008. To allow prospective jurors to be excused without the presence of the defendant in criminal cases in the Thirty-seventh Judicial Circuit of Alabama.

Also:

H. 1009. Relating to the method of giving notice of the requirement of attendance of jury service in the Thirty-seventh Judicial Circuit of Alabama.

Also:

H. 1010. To regulate further the excusing of persons from jury service in the Thirty-seventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

H. 1011. To abolish the drawing of special venires in capital cases in the Thirty-seventh Judicial Circuit of Alabama.

Also:

H. 1012. Relating to criminal procedure in the Thirty-seventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Also:

H. 1013. To apply only in the circuit court of the Thirty-seventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Also:

H. 1015. To apply only in counties having populations of not less than 110,000 nor more than 150,000; providing for appointment of bailiffs in the county courts of such counties.

Also:

H. 1029. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; to provide a monthly expense allowance for the bailiff in the county court of such counties; and providing a retroactive effect therefor.

Also:

H. 1030. To amend Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), as amended, which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classed on a population basis, so as to provide further for the compensation of members of such board; and providing a retroactive effect therefor.

Also:

H. 1036. To provide for the transfer of funds from the Public Highway and Traffic Funds to the Gasoline Funds by the governing body of counties having a population of not less than 22,000 and not more than 22,500 according to the most recent federal decennial census.

Also:

H. 1045. Relating to the Eleventh Judicial Circuit, authorizing each circuit judge of said circuit to appoint a secretary and providing compensation.

Also:

H. 1050. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for the members of the county board of registrars.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1051. Relating to counties having a population of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census; to provide for the compensation and certain

expenses of the register of the circuit court in any such county, payable from county funds; and providing for certain other duties of such register.

Also:

H. 1052. Relating to all counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to provide an expense allowance for members of the county board of equalization.

Also:

H. 1066. To amend Act No. 833 of the Legislature of Alabama of 1969, by which the retirement system for employees of Montgomery County was established, to improve the benefits provided by said system in certain respects and to provide uniform benefits thereunder for persons hereafter becoming employees of Montgomery County and to extend the provisions regarding the management of the funds of said system to include the funds of the previous pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

Also:

H. 1088. To alter, redefine and reduce the corporate limits of the City of Rainbow City so as to exclude therefrom any and all territory lying within the boundaries of St. Clair County.

Also:

H. 1089. To provide that no municipality whose corporate limits do not lie within or extend into St. Clair County shall have or exercise police jurisdiction or powers in said county.

Also:

H. 1090. To amend Section 11 of Act No. 1043, H. 1901, Regular Session 1971, (Acts 1971, p. 1851), providing for a liquor tax in counties of a certain population, so as to provide that all revenue collected under this act shall be deposited in the county General Fund; to make this amendment retroactive.

Also:

H. 1140. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

Also:

H. 1141. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerks hire allowance for the Probate Judge of such counties.

Also:

H. 1142. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Circuit Clerk and County Solicitor and to provide for the payment of the same for said officers of such counties.

Also:

H. 1144. Relating to all counties having populations of not less than 16,245 nor more than 16,300 inhabitants, according to the most recent federal decennial census; providing that any person may use on any boat any motor up to six (6) horsepower on any state-owned lake within said counties.

Also:

H. 1180. Relating to Pickens County; authorizing nighttime hunting of raccoons and opossums under certain conditions.

Also:

H. 1197. Relating to Calhoun County; to provide further for the salary of certain officials of said county.

Also:

H. 1199. Relating to Baldwin County; to provide further for the publication of notice before any public street, alley, highway or portion thereof located in Baldwin County can be vacated or abandoned.

Also:

H. 1200. Relating to crimes and offenses; making it a misdemeanor for any person to dump, throw, place or leave garbage, trash, refuse, or other such debris upon any beach, public or private, within Baldwin County; and prescribing penalties for violating the provisions of this Act.

Also:

H. 1201. To promote the maintenance of Baldwin County's natural beauty, by eliminating unsightly and unhealthy litter; to provide for the dissemination in Baldwin County of information pertaining to laws relative to littering and penalties therefor, and of pleas to the public to heed such laws and to help to eliminate litter in such county.

Also:

H. 1209. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Also:

H. 1210. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to amend Section 5 of Act No. 242, H. 310, Third Special Session 1971, (Acts 1971, p. 4511) forbidding the judge of probate from remitting certain funds to the State Highway Department, so as to provide for the removal of the expiration date of said act.

Also:

H. 1229. To provide for Supernumerary Judges of the County Courts in the various counties of the State of Alabama having a population of more than 150,000 and less than 180,000 according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Also:

H. 1244. To amend the Title and Sections 7, 11, 14 and 22 of Act No. 780 adopted at the 1961 Regular Session of the Legislature of Alabama, as amended, governing airport authorities incorporated in counties having a population of not less than 110,000 nor more than 165,000 according to the last or any subsequent federal decennial census, which sections pertain, respectively, to powers of such authorities, bonds of such authorities, use of proceeds from the sale thereof and other matters so as to clarify and grant powers regarding the issuance of bonds and notes and regarding industrial development and other business projects undertaken by such authorities and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act, as amended, regardless of subsequent changes in the population of the county in which such authority was incorporated.

Also:

H. 1256. To alter and rearrange the boundary lines of the city of Atmore, Alabama, so as to include within the corporate limits of said city all territories now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous to said city.

Also:

H. 1271. To allow branch banking under described conditions in Marshall County, Alabama.

Also:

H. 1293. To Alter or rearrange the boundary lines of the Town of Flomaton, Escambia County, Alabama, so as to include within the corporate limits of said Flomaton, Alabama all territory now within such corporate limits and also certain other territory contiguous thereto, in Escambia County, Alabama.

Also:

H. 1323. Relating to Butler County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1324. Relating to Butler County; providing the members of the Butler County Commission with an additional per diem expense allowance.

Also:

H. 1327. To provide that the Sumter County Commission may appropriate funds for clerk hire in the office of tax collector and tax assessor.

Also:

H. 1366. Relating to Pickens County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1368. To alter or rearrange the boundary lines of the Town of Reform, Pickens County, Alabama, so as to include within the cor-

porate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Pickens County, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 65. Urging the Federal Power Commission to issue to Alabama Power Company an acceptable license for the proposed Crooked Creek Hydroelectric Project (FPC Project No. 2628).

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1376. To authorize each circuit judge of the Eleventh Judicial Circuit to appoint a bailiff-law assistant or alternatively to appoint two other bailiffs; to provide for the compensation, duties and payments of such bailiffs.

Also:

H. 1386. To further amend Section 1 of Act No. 394, H. 828, Regular Session 1961 (Acts 1961, P. 406), as amended, so as to further provide for deputies and assistants to the sheriff of Lee County.

Also:

H. 1387. To authorize the governing body of any county with populations of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census, to provide for the re-registration of electors of such counties; to provide procedures for such re-registration.

Also:

H. 1388. Relating to counties having populations of not less than 60,000 nor more than 65,000 inhabitants according to the most recent federal decennial census, authorizing the governing bodies of such counties to provide an allowance of not less than \$600.00 nor more than \$700.00 per month for a computer operator serving all county offices in such counties, to be paid from the general funds of such counties.

Also:

H. 1396. To authorize establishment of branch banks in the City of Pell City in St. Clair County.

Also:

H. 1398. Relating to the office of the sheriff of St. Clair County; to provide further for the salary of the chief deputy and other deputy sheriffs; to provide for the employment of additional deputy sheriffs; to repeal conflicting laws; and to give the provisions of this Act retroactive effect.

Also:

H. 1399. To amend Section 9 of Act no. 56, H. 72, 1971 Third Special Session (Acts of 1971, p. 4263), which provides for the reorganization of the governing body of St. Clair County, so as to provide that the associate members of the county commission shall be elected by the qualified electors of the entire county but shall be resident citizens and electors of specified districts.

Also:

H. 1402. To permit any bank now or hereafter having an office or place of business in Walker County, Alabama, to establish, maintain and operate additional offices or places of business within Walker County, Alabama.

Also:

H. 1407. Providing that the rules of procedure pertaining to the Circuit Court shall apply in the Madison County Court; amending Section 9 of Act No. 661 of the 1957 Regular Session.

Also:

H. 1415. To authorize the governing body of all counties having a population of not less than 12,000 nor more than 12,800 according to the last or any subsequent federal decennial census, to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1416. Amending Section 1 of Act No. 121, H. 22, Special Session 1971 (Acts 1971, p. 204), fixing the fee for pistol permits in counties having a population of not less than 10,660 nor more than 10,900, so as to provide for the distribution of fees collected by issuance of such permits.

Also:

H. 1417. To provide for the compensation of circuit court bailiffs in all counties having a population of not less than 10,660 nor more than 10,900 according to the last or any subsequent federal decennial census.

Also:

H. 1418. To provide that the county commissions of all counties having populations of not less than 10,660 or no more than 10,900, according to the most recent federal decennial census shall pay all deputy sheriffs employed in the sheriff's department of said counties a salary of not less than the minimum salary paid a state trooper. The chief deputy shall be entitled to a salary of not less than fifty dollars more than a deputy.

Also:

H. 1419. To authorize the sheriff of counties having a population of not less than 10,660 nor more than 10,900 to collect and retain the fees and allowances prescribed by law for feeding prisoners.

Also:

H. 1420. To provide the tax assessor and tax collector of Marengo County an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Also:

H. 1468. To amend Section 1 of Act No. 106, H. 173, 1967, Special Session (Acts of 1967, Vol. 1, Page 138) entitled, "An Act to provide a stenographic secretary for the District Attorney of the Eighteenth Judicial Circuit of Alabama, and to further prescribe the duties and powers of the said stenographic secretary of the District Attorney of the Eighteenth Judicial Circuit".

Also:

H. 1469. To amend Section 4 of Act No. 127, H. 66, 1971 Special Session (Acts of 1971, Vol. 1, Page 209) entitled, "An Act to establish in the Eighteenth Judicial Circuit of Alabama, the office of Clerk-Secretary to the Circuit Judge of the said Eighteenth Judicial Circuit, Place Number Two, to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Shelby County, Alabama."

Also:

H. 1470. To amend the title and Section 1 of Act No. 1740, H. 2581, Regular Session 1971 (Acts 1971, p. 2906) so as to further provide for expense allowances for certain officials in counties having a population of not less than 36,500 nor more than 39,200.

Also:

H. 1471. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Judge of the Circuit Court; providing a limitation on amounts so paid; and providing further for such payments.

Also:

H. 1472. Relating to all counties having a population of not less than 36,500 nor more than 39,200; according to the most recent federal decennial census; and providing that any Circuit Judge, who maintains his principal office at the courthouse, therein may appoint one additional Bailiff to serve the circuit court; to prescribe the pay for the service of said Bailiff and the manner thereof.

Also:

H. 1473. To abolish the drawing of special venires in capital cases in the Eighteenth Judicial Circuit of Alabama.

Also:

H. 587. To propose an amendment to the Constitution of Alabama creating a special school tax district in Marion County and authorizing the levy and collection of special district property taxes for capital outlay purposes for the Marion County school system within said special district, and providing that such levy and collection shall be subject to a vote of the qualified electors in the district.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 1321. To make an appropriation for the payment of expenses of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1321. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. O'Daniel:

H. 938. To provide for employment of Industrial Developers by the Alabama Development Office as non-merit system employees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 938. To the Committee on Commerce, Transportation and Common Carriers.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 179. Relating to counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 288. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of all deputies employed in the sheriff's department and for the compensation of the chief deputy.

Also:

S. 289. To amend Section 1 of Act No. 121, H. 22, Regular Session 1971 (Acts 1971, p. 204), which act fixes the fee for the issuance of pistol permits by the sheriff and for the disposition and use of such fees in certain counties classified on a population basis.

Also:

S. 290. Relating to counties having a population of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; providing for the compensation of circuit court bailiffs.

Also:

S. 294. To amend Section 28E of Act No. 91, H. 22, 1969 Special Session, (Acts 1969, p. 135) which relates to the capital outlay appropriation in the amount of \$100,000.00 granted to every school board within the State of Alabama, so as to authorize any school board in Marengo County to expend such funds for any educational purpose they desire; to make the provisions of this Act retroactive.

Also:

S. 388. Relating to Choctaw County; providing for the payment to the Judge of Probate or Juvenile Court Judge of Choctaw County for expenses of attending conferences of Judges of Probate or Juvenile Court Judges.

Also:

S. 389. Relating to Choctaw County; providing the authority for the Judge of Probate, Choctaw County, Alabama to appoint his deputies or clerks to solemnize matrimony.

Also:

S. 476. To regulate further the compensation of the associate members and chairman of the Choctaw County Commission; to repeal conflicting laws and to repeal specifically the following laws and all amendments thereto: Act No. 164, S. 361, 1971 Regular Session (Acts 1971, p. 2511); Act No. 317, H. 716, Regular Session 1963 (Acts 1963, p. 796); and Act No. 307, H. 734, Regular Session 1949 (Acts 1949, p. 440); and to provide for the effective date of this act.

Also:

S. 477. Relating to Choctaw County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Also:

S. 478. To provide that the Sheriff of Choctaw County, Alabama, may collect and retain the fees and allowances allowed under law for feeding prisoners.

Also:

S. 479. Relating to Choctaw County, Alabama; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Harris, Barron, Jones (F) and Gray (F):

H. J. R. 180. MOURNING THE DEATH OF JOHN MYRICK ASHLEY, JR.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 180, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 84. Relative to the adjournment of the two Houses.

JOHN W. PEMBERTON,
Clerk.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. O'Bannon, further consideration of the Bill, S. B. 758, was indefinitely postponed by the Senate.

On motion of Mr. McLain, further consideration of the Bill, H. B. 996, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stewart:

H. 18. To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 18. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale and Lyons:

H. 1138. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as

may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$2,000,000 in aggregate principal amount.

Also:

By Messrs. McCorquodale and Lyons:

H. 1136. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$2,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1138 and 1136. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Lyons and Crowe:

H. 1630. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12 months after production or manufacture.

Also:

By Messrs. McCorquodale, Lyons and Crowe:

H. 1631. Relating to taxation, to provide for an exemption from ad valorem taxation of personal property in transit through this state, or in storage in a public or private warehouse or other storage facility for shipment to a destination outside this state, to declare the policy of this state to encourage the development of this state as a distribution center; to provide for certain warehouse or storage facility records with regard to such property; and to repeal inconsistent laws.

Also:

By Messrs. Grainger, Lutz, King, Hearn, Hale, Carter, Cross and Williams:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1630, 1631 and 1723. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. King, Flippo, Crowe, Wallace, Carnes, Hale, Stokes, Dill, Easters, Goodwin, Bowers, Bank, Erdreich, Falkenburg, Waldrop, Coshatt, McBride, Collins, Naramore, Lutz, Williams, Carter, Chesnut, Timmons, Roberts, Reed (T), Grainger, Reid (R), McCluskey, Ellis, Owens, Barkett, Mims, Wise, Hill, Wood, Therrell, Cross, O'Daniel, Agee, Casey, Wynot, Culver, Connell, Gray (D), May, Callahan and Stubbs:

H. 387. To increase available funds for the financing of residential housing for persons and families of low and moderate income through the creation of a public corporation of the State with public and corporate powers to be known as the Alabama Housing Development Corporation; defining its duties, powers, authorizing the purchase by the Alabama Housing Development Corporation of existing mortgages from "mortgage lenders" within the state and authorizing loans by the Alabama Housing Development Corporation to "mortgage lenders" within the state for the purpose of furnishing and providing funds for new residential mortgages for persons and families of low and moderate income; authorizing the issuance of bonds and notes of the corporation to assist in the financing of such housing and providing for the terms, security, payment and taxation thereof.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 387. To the Committee on Commerce, Transportation and Common Carriers.

BILLS ON THIRD READING RESUMED

The Bill:

S. 759. To authorize the incorporation in any county in this state having a population of not less than 50,000 nor more than 100,000 according to the most recent federal decennial census of one or more public corporations for hospital purposes, including the acquisition, financing, owning, operating and/or leasing of hospitals, clinics, sanatoria, nursing homes, offices for persons engaged in the diagnosis, treatment or cure of sick or injured persons and buildings to house or service equipment used for the diagnosis or treatment of sick or injured persons or the records of such diagnosis or treatment or research with respect to any of the foregoing, or for dormitories or residences for hospital personnel and students, together with all real property for the location or better utilization of a hospital, medical clinic, buildings, parking areas, garages, storage facilities, outbuildings, machinery, equipment, furniture and fixtures useful or desirable in the operation of any of the aforesaid facilities; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to provide for the offices of Chairman and Vice Chairman of the board of directors of such corporation; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, all lease agreements made by such corporation and all revenues derived from such leases, and the income and properties of such corporation; to provide for the dissolution of such corporation; to exempt such corporations from the laws of this State governing usury or limiting interest rates and competitive bidding; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, any funds and assets, tangible or intangible, relative to the ownership or operation of any hospital, and funds raised or allocated for hospital purposes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Littleton	Pierce
Baker	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Vacca
Clark	Harris	Malone	Wilder
Dominick	Hawkins	Melton	Wilson
Dozier	Jones		

—25

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last session of the Regular Session of the Legislature I have appointed Sam Sawyer of Elba, Alabama, as a member of the Board of Trustees of the University of South Alabama from the 25th Senatorial District succeeding Senator Ray Lolley, deceased, for the term expiring September 30, 1973.

As this appointment must be confirmed by your Body, I herewith transmit it to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Board of Trustees of the University of South Alabama, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last Regular Session of the Legislature I have appointed the following named persons as members of the State Board of Corrections:

Dr. Thomas F. Staton, Montgomery, Alabama. Reappointment—From the 2nd Congressional District—for the term expiring July 17, 1981.

Thomas Bradford, Sr., Birmingham, Alabama. From the 6th Congressional District—succeeding Bill Thrash, resigned—for the term expiring July 17, 1979.

As these appointments must be confirmed by your Body, I am transmitting them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Board of Corrections, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Board of Trustees of the Troy State University:

Robert E. Kelly, Montgomery, Alabama. Reappointment—from the 2nd Congressional District for term expiring October 24, 1983.

C. J. Hartley, Tuscaloosa, Alabama. Reappointment—From the 5th Congressional District for term expiring October 24, 1983.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of Troy State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last Regular Session of the Legislature I have appointed the following named persons as members of the Board of Trustees of the Jacksonville State University:

Paul Carpenter, Ashford, Alabama. Reappointment from the 3rd Congressional District for the term expiring December 28, 1983.

Mrs. Madge Poole, Tuscaloosa, Alabama. Reappointment from the 5th Congressional District for the term expiring December 28, 1983.

Graves Musgrove, Birmingham, Alabama. From the 6th Congressional District—replacing Freida Coggin—for the term expiring December 28, 1983.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of Jacksonville State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Alabama Mental Health Board:

James Geer, Tuscaloosa, Alabama. From the 5th Congressional District—succeeding Hilliard Aronov, deceased—for the term expiring September 30, 1975.

Frank M. Moody, Tuscaloosa, Alabama. From the 5th Congressional District—Reappointment—for the term expiring September 30, 1977.

As these appointments must be confirmed by your Body, I am transmitting them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Mental Health Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, Frank Parker, Birmingham, Alabama, as a member of the Board of Appeals for the Department of Industrial Relations, representing the employees—for the term expiring March 28, 1979.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Board of Appeals for the Department of Industrial Relations, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, Mrs. Camile Wright Cook, University of Alabama, University, Alabama, as a member of the Air Pollution Commission, for the term expiring October 1, 1976.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Air Pollution Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last session of the Legislature I have appointed the following named persons as members of the Board of Trustees of Livingston State University:

John R. Broadway, Hunstville, Alabama. Reappointment—From the 8th Congressional District—for the term expiring December 27, 1983.

Reverend Billy Frank Hall, Mobile, Alabama. From the 3rd Congressional District—succeeding K. T. Riley, resigned—for term expiring December 27, 1975.

The above appointments are submitted to you for confirmation or for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of Livingston State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last Regular Session of the Legislature the following military personnel have been promoted to the rank of Brigadier General:

Henry H. Cobb, Jr., Tuscaloosa, Alabama.

James A. Mickle, Jr., Birmingham, Alabama.

The above appointments are submitted to you for confirmation or for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to promotions to the rank of Brigadier General in the Alabama National Guard, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the State Forestry Commission:

Roy B. Morgan, Sr., Greenville, Alabama. Reappointment for the term expiring November 5, 1976.

Kelly Sistrunk, Opelika, Alabama. Reappointment for the term expiring November 5, 1976.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Forestry Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, John M. Harbert, III, Birmingham, Alabama, as a member of the Alabama Alcoholic Beverage

Control Board, succeeding C. W. (Woody) Anderson—for the term expiring February 10, 1979.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Alabama Alcoholic Beverage Control Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen;

Since the last Regular Session of the Legislature I have appointed the following named persons as members of the Board of Trustees of Florence State University:

Laney L. West, Russellville, Alabama. From the Seventh Congressional District—for the term expiring September 9, 1983.

H. Grady Jacobs, Bridgeport, Alabama. From the Eighth Congressional District—for the term expiring September 9, 1983.

The above appointments are submitted to you for confirmation or for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of Florence State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Pat Lancaster, Tuscaloosa, Alabama, as a member of the Civil Service Board of Tuscaloosa County, for the term expiring May 15, 1977.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Civil Service Board of Tuscaloosa, County, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Amendment 317 to the Constitution of 1901, proposed by Act No. 1187 of the 1971 Regular Session and proclaimed ratified January 27, 1972, I have appointed the following named persons as members of the Judicial Commission:

I. J. Scott, Jr., of Opelika for the term expiring May 31, 1978.

Basil Thompson of Andalusia for the term expiring May 31, 1975.

As these appointments, under the provisions of the above-mentioned Constitutional Amendment, must be confirmed by your Body, I herewith transmit them to your for such action as you deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Judicial Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the State Personnel Board:

C. W. (Woody) Anderson, Huntsville, Alabama. Succeeding James A. Simpson, deceased—for the term expiring March 2, 1977.

Dr. Ralph Adams, Troy, Alabama. Reappointment—For term expiring March 2, 1979.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Personnel Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last Regular Session of the Legislature I have appointed the following named persons as members of the Farmers Market Authority:

Walter C. Givhan, Selma, Alabama. Reappointment—From the 4th Congressional District—for the term expiring February 1, 1978.

Leon V. Keel, Slocumb, Alabama. From the 3rd Congressional District—replacing Collier Freeman—for the term expiring February 1, 1978.

As these appointments must be confirmed by your Body, I am transmitting them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Farmers Market Authority, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Senate Joint Resolution No. 82, Act No. 2408, 1971 Regular Session, approved October 1, 1971, I have appointed the following named persons as members of the Good Neighbor Commission:

Joseph P. Givhan, Mobile, Alabama. For the term expiring October 1, 1973.

Dr. James J. Hicks, Birmingham, Alabama. For the term expiring October 1, 1975.

James O. Murphy, Jr., Eufaula, Alabama. For the term expiring October 1, 1975.

Guy L. Burns, Birmingham, Alabama. For the term expiring October 1, 1977.

Wilson Mann, Owens Cross Roads, Ala. For the term expiring October 1, 1977.

The above appointments are submitted for confirmation or for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

AUGUST 9, 1973

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Good Neighbor Commission, was read and referred to the Standing Committee on Rules.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 63

Delivered to the Governor, July 12, 1973, at 2:04 P. M.

S. J. R. 54

S. J. R. 60

Delivered to the Governor, July 12, 1973, at 1:40 P. M.

S. J. R. 56

S. B. 182

Delivered to the Governor, July 24, 1973, at 2:40 P. M.

S. J. R. 65

S. J. R. 67

S. J. R. 71

S. J. R. 78

S. B. 362

Delivered to the Governor, July 31, 1973, at 4:10 P. M.

S. B. 299

S. B. 360

S. B. 361

S. B. 391

S. B. 392

S. B. 401

S. B. 403

S. B. 405

S. B. 422

S. B. 171

S. B. 225

S. B. 271

S. B. 431

S. B. 432

S. B. 433

S. B. 441

S. B. 480

S. B. 481

S. J. R. 6

S. J. R. 77

S. B. 273

Delivered to the Governor, August 2, 1973, at 3:50 P. M.

S. B. 484

Delivered to the Governor, August 7, 1973, at 2:15 P. M.

S. J. R. 53

S. J. R. 80

S. B. 267

S. B. 179

S. B. 288

S. B. 289

S. B. 290

S. B. 294

S. B. 388

S. B. 389

S. B. 476

S. B. 477

S. B. 478

S. B. 479

Delivered to the Governor, August 9, 1973, at 3:15 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 5 o'clock P. M., on motion of Mr. Lybrand, pending further consideration of H. B. 691, and in accordance with joint resolution heretofore adopted, the Senate adjourned until Tuesday August 14, 1973, at 2 o'clock P. M.

TWENTY-NINTH LEGISLATIVE DAY

TUESDAY, AUGUST 14, 1973

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert L. Wilson, Minister, Normandale United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Baker	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Carr	Harris	Malone	Vacca
Clark	Hawkins	Melton	Weaver
Cook	Horne	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson
Dozier	King	Owen	

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Eighth Legislative Day was approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Edington for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 851. To make a conditional appropriation to the Special Mental Health Fund from the State General Fund for each of the two fiscal years ending September 30, 1974, and September 30, 1975.

Committee on Finance and Taxation.

By Mr. Harris:

S. 852. Repealing Act No. 278, H. 369, Special Session 1966 (Acts 1966, p. 420) which created a deputy district attorney for the Eighth Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 853. Creating the position of full time deputy district attorney for the eighth judicial circuit; providing compensation for such position.

Committee on Finance and Taxation.

By Mr. O'Bannon:

S. 854. To appropriate the surplus and residue from the proceeds of the levy of the one mill ad valorem tax for the relief of Confederate soldiers and sailors and their widows to the Department of Mental Health to be distributed to the several counties of the state to be used by such counties for the construction, maintenance and operation of community mental health-mental retardation centers in this state or

for matching state and federal funds for such purposes; and to repeal Section 25 of Act No. 703, H. 544 of the Regular Session of 1951 (Acts 1951, p. 1224).

Committee on Finance and Taxation.

By Mr. Fine:

S. 855. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to authorize the board of registrars to meet for 60 days in addition to the number of days now provided by law for the purpose of implementing the federal court's plan of reapportionment; to authorize the county commission to appoint additional personnel and clerical help to work under the board of registrars, to determine the compensation of such personnel and to pay such compensation from the general fund of the county.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 856. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Shelby:

S. 857. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 858. Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa

County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. In so far as applicable the Alabama Rules of Civil Procedure adopted by the Supreme Court of the State of Alabama to become effective on July 3, 1973, shall govern all pleading, practice and procedure in all civil actions in the Tuscaloosa County Court, except there shall be no pretrials or pretrials orders; however, nothing in this Act shall be construed as conferring on any party a right to trial by jury in the Tuscaloosa County Court.

Section 2. The Tuscaloosa County Court shall have jurisdiction in civil actions in which the amount involved is Two Thousand and no/100 (\$2,000.00) Dollars or less.

Section 3. The judge of the Tuscaloosa County Court shall be paid an expense allowance of Five Thousand and no/100 (\$5,000.00) Dollars per annum which shall be in addition to any and all other expenses, allowances, salary and other compensation now provided by law. Such allowance shall be paid in equal monthly installments out of the county general fund.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 10, 1973.

LaJUNE BURNETT,
Notary Public.

By Mr. Bailes:

S. 859. To provide that any city having a population of 300,000 or more according to the last or any subsequent federal census shall pay to the civic center, provided for by Act No. 547 of the regular session of the legislature of Alabama of 1965, 20% of the proceeds of the occupational tax the city receives subsequent to the effective date of this act, within

thirty days from the date whereon the city receives such occupational tax.

Committee on Local Legislation No. 2.

By Mr. Bailes:

S. 860. To provide that all former Governors of the State of Alabama who shall have been partially or totally disabled while serving in that office shall receive monthly retirement pay out of the general fund in the state treasury.

Committee on Finance and Taxation.

By Mr. Weaver:

S. 861. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 862. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of certain deputies in the office of the sheriff.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 863. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of bailiffs appointed by any circuit judge of the judicial circuit in which such county lies.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 864. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the judge of the county court in such counties.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 865. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the tax assessor and tax collector in all such counties.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 866. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salary of the clerical assistant to the district attorney of the judicial circuit in which such county lies.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 867. Relating to the assistant district attorney in all counties having populations of not less than 65,000 nor more than 68,000; increasing the supplement to the salary paid by the state.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 868. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the circuit clerk in such counties.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 869. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the register of the circuit court in such counties.

Committee on Local Legislation No. 1.

By Mr. Givhan:

S. 870. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Committee on Local Legislation No. 1.

By Mr. Horne:

S. 871. Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA LEE COUNTY

Notice is hereby given that a bill, substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, said court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. **DISTRICT COURT CREATED.** There is hereby established in Lee County a court with county-wide limited jurisdiction of criminal cases and civil actions formerly at law. The court shall be known as the "District Court of Lee County, Alabama." It shall be in lieu of the Court of Common Pleas of said county which is abolished as of the effective date of this Act. The District Court of Lee County shall be comprised of four divisions as follows: civil, criminal, juvenile and small claims, as provided herein.

Section 2. **JURISDICTION.** (a) Except as provided in Subsection (b) following, the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including paternity proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions in ejectment), cognizable before the circuit court, or formerly in a county court, a juvenile court, or a justice court, and all courts of like jurisdiction. It shall have authority to punish contempts by fine not exceeding \$50.00, and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are consistent with the Rules of Civil Procedure as adopted by the Supreme Court.

(b) The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds \$2,000.00, nor take cognizance of any matter or proceeding formerly in equity, except as set out in Section 7, relating to the Juvenile Division of this Court.

(c) The court may adopt and enforce rules and regulations for pleading, practice and procedures in civil, criminal, juvenile and small claims cases consistent with the rules of civil and criminal procedure adopted for the circuit courts except as provided herein.

Section 3. **JUDGE.**

(a) A judge of the District Court shall be elected by the qualified electors of the county at the general election of 1974, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by the Constitution. He may be removed from office for any cause enumerated in the Constitution, in

the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Lee County, learned in the law and licensed to practice law in this State. The judge shall not engage in the practice of civil or criminal law, and shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided by the Constitution.

(c) The judge shall receive an annual salary of \$20,000.00 payable out of the general fund of the county in equal monthly installments.

(d) The judge shall have authority to: (1) grant writs of habeas corpus and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and Ne exeat returnable to a court of proper jurisdiction, (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, and judges of juvenile and county courts or district courts which may be hereafter created.

(e) The judge shall keep an office in the county courthouse, or such other place as shall be provided by the governing body of the county. His office shall be suitably equipped, furnished and provided at the expense of the county with such office supplies, telephone service, stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court. The judge shall employ, at his discretion, such officers and employees as may be necessary to conduct the operation of the District Court and all of its divisions as provided in this Act, and shall fix their salaries with the approval of the county governing body. The judge, and all such officers and employees, shall be deemed to be employees of Lee County, Alabama.

Section 4. SESSIONS.

The District Court of Lee County, Alabama, shall be open for the transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times. Sessions of the court shall be held at the county courthouse or in such other places as may be determined by the judge to be necessary, and any additional facilities required for the court shall be provided by the county governing body. The judge of said court shall determine and fix by order spread upon the minutes a regular time of holding the sessions of said court as necessary for the orderly and speedy trial of all cases.

Section 5. CIVIL DIVISION.

(a) The judge of the District Court of Lee County shall preside over the Civil Division hereby established for said court. Except as otherwise provided in this Act, the practice, procedure and process of the Civil Division of the District Court of Lee County shall be governed by the Alabama Rules of Civil Procedure, and statutes governing commencement and conduct of civil actions in the circuit courts.

(b) In civil actions when the summons, writ of attachment, summons and complaint in attachment, writ of garnishment or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and respond thereto within fifteen days, and the process issued shall so recite.

(c) The Civil Division of the District Court of Lee County shall not the rights, remedies and privileges with respect to the registration and judge shall decide all issues of fact without the intervention of a jury.

(d) The sheriff shall attend the sessions of the District Court of Lee County in person or by deputy. He shall execute all writs and processes of the Civil Division of the District Court of Lee County, and perform the same duties as he would be required to perform in the circuit court.

(e) The party in whose favor a judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as are provided by statute.

Section 6. CRIMINAL DIVISION.

(a) The judge of the District Court of Lee County shall preside over the Criminal Division of said Court. Prosecutions may be commenced in the Criminal Division of the District Court of Lee County upon the sworn complaint made to the judge of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by law, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the same shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Lee County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama, Title 36 as amended, shall be returnable to the District Court and shall be tried there.

(c) Either the District Attorney or the Assistant District Attorney for the judicial circuit in which Lee County is situated shall attend the sessions of the criminal division of the court, and shall conduct all criminal prosecutions in the court.

(d) The sheriff shall attend the sessions of the criminal division of the court in person or by deputy. He shall execute and serve all warrants and processes of the criminal court, and perform the same duties as he would be required to perform in the circuit court.

(e) The criminal division of the District Court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

(f) One-half of the costs of court taxed in Rules of the Road cases made by the State Troopers under the authority of Title 36 of the Code of Alabama, 1940, as amended, shall be remitted to the general fund of Lee County, Alabama, for the use of said county.

Section 7. JUVENILE DIVISION.

(a) JURISDICTION. The judge of the District Court of Lee County shall preside over the Juvenile Division of said Court. The Juvenile Division shall have all of the powers and jurisdiction conferred by law upon Juvenile Courts, including specifically Chapter 7 of Title 13, and Chapter 11 of Title 52, all of Code of Alabama, 1940, as amended or recodified. In addition to the foregoing statutory jurisdiction pertaining to juveniles, while it is exercising its juvenile jurisdiction the District Court shall also have the general powers of equity courts in the exercise of their inherent equity jurisdiction to protect and care for children under the doctrine of *parens patriae*.

(b) JURY TRIAL. When a juvenile defendant is entitled to a trial by jury upon making timely demand therefor, or at the discretion of the judge, the judge shall empanel a jury to decide questions of fact in

proceedings involving juveniles which would be criminal prosecutions except for the age of the juvenile. In the event a jury venire has been empanelled for the circuit court at the time a juvenile case is being tried, the judge may direct that the jury be selected from such circuit areas involving the welfare of juveniles and their families, and make proper reports to the Court as requested by the Judge or District Attorney. The probation officers may refer to the Department of Pensions and Security for investigation cases involving dependency, neglect and suspected child abuse. The compensation of the juvenile court officer and the probation officer shall be fixed by the Judge, subject to the approval of the county governing body; but the compensation of the juvenile court officer shall be a salary of not less than \$9,000.00 nor more than \$12,000.00 per year, and the compensation of each probation officer shall be a salary of not less than \$9,000.00 nor more than \$12,000.00 per year. Such salaries shall be payable out of the county treasury of Lee County at the same time and in the same manner as the salaries of other employees of Lee County.

(d) **AUTOMOBILE, EQUIPMENT, INSURANCE AND PROFESSIONAL CONFERENCES.** The county governing body of Lee County shall also provide for furnishing such automobiles and other supplies and equipment as are reasonably needed by the Juvenile Court officer and the probation officer or officers, as the case may be, and such equipment as needed by the Court. The county governing body of Lee County shall also provide for paying the maintenance and operating expenses and insurance coverage of all such automobiles as are furnished. Such governing body shall also defray the reasonable expenses of the Judge and any other officer or employee of the juvenile court incurred in attending any conference, seminar or professional conviction relative to the duties, powers and functions of the juvenile court of Lee County, Alabama, or the officers thereof.

(e) **LEGAL REPRESENTATION.**

(i) The District Attorney or his designated assistant may appear in the Juvenile Court of Lee County, Alabama, in behalf of and in representation of the State or juveniles or parties to the action.

(ii) In the absence of a public defender or in the absence of representation by retained counsel, the Judge of said Court may appoint legal counsel to represent the juvenile in any court proceeding, and said counsel shall be compensated from the County's General Fund as is provided by law.

Section 8. SMALL CLAIMS DIVISION.

The Small Claims Division of the District Court of Lee County shall be presided over by the judge of the Court, assisted by a Referee to be appointed by the judge of the District Court of Lee County. Said Referee shall be paid not less than \$6,000.00 nor more than \$7,200.00 per annum, the exact amount to be fixed by the county governing body. The Small Claims Division of the District Court shall be responsible for the disposition of all claims in amounts not exceeding \$250.00. The Referee of the Small Claims Division shall be authorized to issue summons and complaints, and all appropriate writs to commence a suit, and in addition to issue process of garnishment, writs of detinue and attachment, after judgment or as provided by law. Personal service of process shall be executed by any lawful officer or constable and the fees and mileage provided by law for service of process in the circuit courts shall be charged and paid to said constable. Service of any process in the small claims division is effected on the person to be served by delivering to him a copy thereof with a copy of the complaint or other initial pleading, or by leaving such

copies at either his usual place of abode or place of employment with some person of the family above 15 years of age or in charge of such place of employment, and in either event informing such person of their contents. In the alternative process may be made by certified mail addressed to the defendant's proper mailing address. In the event the defendant shows to the satisfaction of the court that he was not properly served and did not know of the existence of such suit before judgment was entered against him, and also shows to the satisfaction of the Court that he had a good defense to the claim, in whole or in part, the Court shall set aside any judgment by default and allow the defendant to interpose his defense; but, it shall not be necessary to re-serve the defendant. After service of process has been executed and perfected on the defendant as required by law, the defendant shall appear and answer thereto within five days, and the process issued shall so recite. The filing fee for claims for amounts not exceeding \$50.00 shall be \$5.00. The filing fee for claims for amounts not exceeding \$100.00 shall be \$10.00. The filing fee for claims for amounts in excess of \$100.00 shall be \$15.00. Such filing fees shall be paid in advance by the plaintiff and reimbursed to him if collected from the defendant. No other costs or charges except for service of process, shall be assessed the plaintiff or claimant in the Small Claims Division, but costs for other papers or writs filed shall be set by a schedule of costs to be fixed by the judge. The procedures and forms of the Small Claims Division shall be prescribed by the judge of the District Court of Lee County, and the Referee shall assist the plaintiff in the preparation thereof upon request. The Referee shall have authority to enter judgments by default, and by consent of the parties to hear and decide controversies and cases in the Small Claims Division, but any party may request his case to be tried before the judge of the District Court. The Referee may be a deputy clerk of this Court, and as such bonded and authorized to take payments or collections on judgments and to issue receipts therefor.

Section 9. CLERKS.

(a) The Circuit Clerk of Lee County shall be the clerk of the Court herein established. In addition to his regular fees, commissions and compensations, the clerk shall receive for such services the sum of \$6,000.00 per annum which sum shall be payable in equal monthly installments from the general fund of the county. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the Court. Before entering upon the performance of his duties as clerk of the District Court of Lee County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

The clerk shall have power and authority: (1) To administer oaths and take acknowledgments and affidavits; (2) To sign and issue all processes issuing out of the court, in all of its divisions, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) To approve bonds in civil and criminal cases including appeal bonds; (4) To enter all judgments, orders, and decrees of the court; (5) To certify all appeals and transcripts; (6) To exercise all powers and authority which are now or may be hereafter, conferred on clerks of county district courts; (7) To supervise the administrative functions of the Small Claims Division of the District Court, subject to the approval of the judge of the District Court.

Section 10. COSTS.

(a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulation as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as provided by law.

(c) A trial tax of \$5.00 shall be collected for the use of the county in each civil action and in every criminal case, a trial tax of \$5.00 shall be collected for the use of the county.

(d) Costs in juvenile cases may be taxed by the Courts as in cases formerly in equity, and the Court may decline to tax any costs at all. In addition to usual court costs the judge may tax as costs against a juvenile the amount necessary to make restitution to any person injured damaged or wronged by such juvenile.

Section 11. APPEALS.

Any party aggrieved by a judgment, order, or ruling of the court may, within fifteen days after the rendition thereof, appeal the decision as herein provided. (1) If the case is a civil case, the appeal lies to the circuit court of Lee County where the trial shall be de novo with trial by jury where demanded by either party in writing filed with the clerk within 15 days after notice of appeal is filed with the clerk or at the option of the appellant the appeal lies to the court of appeals, except as to actions involving possession of lands, and shall be governed by statute. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed \$250.00, the issues shall be made up as provided by law; otherwise the pleadings and trial shall be according to the regular rules of pleadings and practice in the circuit court. (2) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by statute. (3) In every criminal case, the appeal lies to the circuit court, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant or at the option of the appellant to the court of appeals and shall be governed by statute.

Section 12. TRANSFER OF PENDING CASES.

All cases and actions pending in the Court of Common Pleas of Lee County on the effective date of this Act shall be transferred to the Court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court; this Court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgment had been rendered by it.

Section 13. COURT REPORTER.

The judge of the District Court of Lee County shall secure the services of a competent shorthand writer to act as court reporter for such court. Such reporter shall be an officer of the Court while performing his duties, and shall have the same powers, duties and responsibilities as a reporter in the circuit court. Such reporter shall, while performing his duties as provided herein, be compensated from the county treasury at the same rate and in the same manner as circuit court reporters, and shall serve at the pleasure of the Judge.

Section 14. SEVERABILITY.

The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 15. REPEALER.

All laws in conflict with this Act are repealed to the extent of the conflict.

Section 16. EFFECTIVE DATE.

This Act shall become effective on the first Monday after the second Tuesday in January, 1975.

**STATE OF ALABAMA
LEE COUNTY**

Before me, the undersigned authority in and for said county in said state, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the OPELIKA-AUBURN DAILY NEWS, a newspaper of general circulation, published in Lee County, State of Alabama, that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, August 3, and August 10, all in the year 1973.

MILLARD B. GRIMES,
Publisher,

OPELIKA-AUBURN DAILY NEWS.

Sworn to and subscribed before me on this the 14th day of August, 1973.

PAULINE L. HOOKS,
Notary Public, State At-Large.

By Mr. Pelham:

S. 872. To amend Title 29, Section 26, Code of Alabama 1940, relating to license fee for distributors, wholesalers, or retailers of malt or brewed beverages.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 873. To amend Section 1 of Act No. 2340, S. 1169, Regular Session 1971, Acts 1971, p. 3774), which act relates to giving certain law enforcement officers their guns and badges upon retirement, so as to allow honorably retired law enforcement officers of the Alcoholic Beverage Control Board to keep their badge, pistol, and other equipment upon such retirement; and to provide that these retired officers shall not be required to obtain a pistol permit to lawfully carry such guns.

Committee on Judiciary.

By Mr. Lybrand:

S. 874. To prohibit the licensing by the State of Alabama, or by any county or municipality of any person as a dealer, seller, or dis-

tributor of new or used automobiles or as an automobile junkyard or salvage dealer who has been convicted of a felony in connection with the sale, purchase, or use of an automobile.

Committee on Judiciary.

By Mr. Clark:

S. 875. Relating to counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census; authorizing the District Attorney of such counties to appoint one Deputy District Attorney; providing for compensation.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 876. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 877. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 878. Relating to all counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census, setting the salary for the County Solicitor or Deputy District Attorney.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 879. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 880. To create the office of supernumerary county commissioner in all counties with a population of not less than 11,500 nor more than

12,500 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 881. Applicable to any city having a population of not less than 7,750 nor more than 7,825 according to the most recent federal decennial census; to provide an expense allowance to the mayor of any such city.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 882. Amending the title and Section 3 of Act No. 258 of the 1973 Regular Session of the Alabama Legislature, relating to election districts for Morgan County, so as to provide for the changing of election dates in Districts three and four.

Committee on Local Legislation No. 1.

By Mr. Pelham:

S. 883. To amend Section 2 of Act No. 160, H. 59, Third Special Session 1971 (Acts 1971, p. 4404), entitled "An Act To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama," so as to add a proviso that the Department of Revenue shall not have any authority or power to establish any rule, regulation, criteria or standard that shall require or allow any appraisal of real property to include the inside inspection of any human residence in this state.

Committee on Finance and Taxation.

By Mr. Carr:

S. 884. Relating to the thirtieth judicial circuit; providing for additional circuit court judge in such circuit.

Committee on Judiciary.

By Mr. Register:

S. 885. To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and Mobile home parks situated outside the corporate limits of any municipality in the county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and

Mobile home parks situated outside the corporate limits of any municipality in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Houston County is authorized to regulate the planning and construction of all public streets, public roads and drainage structures located or to be located in subdivisions of land and Mobile Home Parks situated outside the corporate limits of any municipality in the county, including the power to require the filing and posting of a reasonable surety bond with such governing body by the developers of such subdivisions to guarantee the actual construction and installation of such approved proposed public streets, public roads and drainage structures before the sale or offering for sale of any lots from such subdivision to the public. The county commission may require the developers of all proposed subdivisions of lands situated outside the corporate limits of any municipality in the county to submit the plat of such proposed subdivision to the county commission of the county for approval before such plat is filed for record in the office of the judge of probate.

Section 2. If any such public street, public road or drainage structure is erected, constructed or maintained in violation of the provisions of this Act or any regulations made pursuant thereto the county may institute appropriate action or proceedings to prevent such unlawful erection, construction or maintenance, or to require such erection, construction, or maintenance to conform to the regulations prescribed therefor.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: 7-17, 24, 31; 8-7-73 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 10 day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Register:

S. 886. To establish a Civil Service System for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present em-

ployees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To establish a Civil Service System for Houston County; to promote a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules regulations, determinations, job classification plans, pay plans, and mandatory and-or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain politi-

cal activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

Be It Enacted by the Legislature of Alabama:

Section 1. **DEFINITION.** The following words, terms, and phrases wherever used herein shall have the meanings respectively ascribed to them in this section and shall include the singular as well as the plural:

ALLOCATION means the assignment of position to a class on the basis of the nature difficulty and responsibility of work of the positions.

APPOINTING AUTHORITY means the official or board designated by resolution of the governing body as being the official or board having authority to fill vacancies in a specified class or the governing body itself in the event that the governing body has made no such designation in respect to a class or having made such designation has thereafter repealed such resolution.

BOARD means the Personnel Board of Houston County.

COUNTY means Houston County.

COURT means the Circuit Court of Houston County, Alabama.

MERIT SYSTEM whenever the term "Merit System" appears it shall mean the same as "Civil Service System"; within the meaning of this act.

CERTIFY, CERTIFICATION means the act of supplying the appointing authority with names of applicants deemed eligible for appointment to the class or position to be filled.

CLASS means a position or group of positions that involve similar duties and responsibilities and require similar qualifications and are designated by a single title indicative of the work to be performed.

ELIGIBLE LIST means a list of names of persons who have successfully completed by examination, written or oral, arranged in the order of their final ratings, as determined by the Personnel Board.

EMPLOYEE means a person regularly occupying a position in the classified service or a person who is on authorized leave or absence and whose position is being held for him pending his return.

DEMOTION means removal of an employee from a position in one class to a position in another class having a lower maximum salary limit than the position from which he was removed.

ORIGINAL APPOINTMENT means the appointment to a position in the classified service of a person who is not being reemployed from the reemployment list, nor being promoted from the promotional eligible list and who, except for those in the exempt service and those serving under temporary appointment, is not an employee of Houston County.

ORIGINAL APPOINTMENT ELIGIBLE LIST means the eligible list of persons qualified for original appointment to a position.

LAID-OFF means separated from the classified service of Houston County because of lack of work or funds or other reason not related to fault, delinquency or misconduct on the part of the employee.

POSITION means a group of current duties and responsibilities assigned or delegated by competent authority and requiring the full or part time services of one employee.

PROMOTION means a change of employment from a position of one class to a position of another class which has a higher maximum salary rate.

PROMOTIONAL ELIGIBLE LIST means the eligible list of persons qualified for promotion to a position.

REEMPLOYMENT LIST means:

(A) the list of names of former employees who have been laid-off from a position within the past two (2) years who had permanent status in that position so long as that position continued in the classified service, arranged in the inverse order in which they were laid-off.

(b) The list of names of those former employees who resigned or otherwise left Houston County service in good standing at any time within the past (2) years.

Vacancy means a position duly created with funds provided for payment of a salary, which is not occupied, or which is occupied by a person serving under a temporary appointment.

Section 2. DIVISION INTO EXEMPT AND CLASSIFIED SERVICES. All offices and positions of Houston County shall be divided into the exempt service and the classified service.

1. The exempt service shall include:

(a) the positions of all elected officials of Houston County; (b) the positions of voluntary personnel and personnel appointed to serve without pay; (c) the positions of consultants rendering temporary professional service; (d) all positions involving seasonal or part-time employment; (e) the positions of attorneys rendering legal service; provided, however, such positions in the exempt service held by employees of boards and commissions may be placed of the Personal Board after favorable recommendation by such other board or commission, and the Personnel Board, in such resolution shall prescribe the conditions under which the employees holding such positions so transferred may acquire permanent status in such positions so long as such positions remain in the classified service (F) employees not paid exclusively by Houston County.

2. Classified Service:

The classified service shall include all positions in the service of Houston County who are paid out of the General Fund and all other Funds of Houston County and out of funds of boards and commissions whose employees are placed in the classified service, and which are not specifically placed in the exempt service; provided, however, the Personnel Board may by resolution, pursuant to a recommendation by the boards, remove any position from the classified service and place it in the exempt service. Unless otherwise specifically provided or clearly implied, the provisions of this act shall apply only to the classified service.

Section 3. STATUS OF PRESENT EMPLOYEES. All employees who have acquired permanent status shall, subject to the provisions of this act, have permanent status in their present positions so long as such positions remain in the classified service. All other employees shall be eligible to acquire permanent status in their present positions

so long as such positions remain in the classified service in the manner provided in Section 14, upon completing six months' service in such positions, such time to be computed from the beginning of such service, rather than from the effective date of this act.

Section 4. BOARD MEMBERS. The personnel program established by this act shall be administered by the board. The members of the five member Personnel Appeals Board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643) shall be the first members of the personnel board created by this act and such members shall continue to hold office on the personnel board herein created until such time as their respective terms would have expired on the personnel appeals board according to the terms of said Act No. 2262. (Upon the expiration of the term of each member, his successor shall be appointed by the original appointing authority for terms of six (6) years each; and one member each shall hereafter continue to be appointed by the following; the Houston County Commission, the circuit judge of the twentieth judicial circuit who is a resident of Houston County, probate judge of the county, the judge of the Law and Equity Court of Houston County (or any succeeding statutory inferior court in said county), and by the county employees who will be subject to the provisions of this act.

No person shall be appointed to the personnel board unless he is of recognized good character and ability, and is an actual resident in and qualified elector of the county. No person shall be eligible to appoint or shall continue to be a member of a board created under this act who holds an elective office under the state, county, or any city therein, or who is a candidate for elective office. Vacancies on the board shall be filled for the unexpired terms in the same manner as original appointments are made. The board shall elect a chairman from among its members, who shall preside at its meetings. Three members shall constitute a quorum for the transaction of any business which may properly come before the board. Each person so appointed shall, within fifteen days after appointment, qualify by making oath that he will faithfully execute the duties of office to the best of his ability and knowledge which oath shall be recorded as provided by law. The board shall adopt reasonable rules regulating the procedure of the board. Notice of all meetings of the board shall be given to each member by the clerk of the board.

Section 5. MEETINGS, CLERKS, COMPENSATION. The personnel board shall meet on the call of the chairman or upon call of three members of said board. Such meetings shall be held in the county courthouse in an office which the county commission shall provide. The board shall designate a clerk of said board. The person designated as the clerk may be an employee on the county in some other capacity. The county commission shall be authorized to employ and to provide for the compensation of such additional clerks to assist the said clerk as it may deem necessary for the administration of this act.

Each member of the board shall be paid \$15.00 from the General Fund of Houston County per day or part thereof on which the Board meets. The Board shall not be compensated for more than twenty (20) days per year.

Section 6. RULES, CLASSIFICATION PLANS, AND PAY PLANS. So long as the same are not inconsistent with this act, the boards shall adopt rules and regulations for the operation of the civil service system established hereby, including, but not limited to a job classification plan, a pay plan, and a plan for the mandatory and-or permissive retirement of employees, and the same shall become oper-

ative and have the force and effect of law. All rules, regulations and pay and classification plans in effect at the time of the adoption of this act which are not in conflict with the provisions hereof shall remain in force and effect after the effective date of this act until the same are altered, amended or repealed in the manner hereinafter provided.

Section 7. AMENDMENTS AND REPEAL. Any rule, determination, regulation or plan may be amended or repealed in whole or in part in the same manner as is provided herein for the making of such rules, determinations, regulations or

Section 8. JOB CLASSIFICATION PLAN. After the adoption by the governing body of a job classification plan, allocation of each position in the classified service shall be made by the board to the end that all positions in the same class shall be sufficiently alike to permit use of a single descriptive title, the same qualification requirements, the same test of competence, and the same pay scale:

Section 9. PAY PLAN. After the adoption by the Personnel Board of a pay plan and any rules of its administration, the board will assign each position to one of the pay ranges provided in the pay plan to the end that the rate or range of compensation for each class provided for in the pay plan shall be such as to reflect fairly the differences in duties and responsibilities in the various classes.

Section 10. EXAMINATION. Eligibility for original appointment or promotion to vacancies in positions in the classified service occurring after the adoption of this act shall be determined by the Personnel Board. The Personnel Board shall conduct such examinations as will fairly test the abilities and aptitudes of the applicants with respect to the duties to be performed. Applicants who pass the test and otherwise qualify for original appointment or promotion, as the case may be, shall be placed on the appropriate eligible list for the vacancy. The board may refuse to examine, or after examination refuse to certify the name of anyone who is found to lack any of the established qualification requirements for the position for which he applies or who is physically so disabled as to be unfit to perform duties of the position to which he seeks appointment, or who has been convicted of or is under indictment for any crime involving moral turpitude or who has been guilty of any infamous or disgraceful conduct or who has been dismissed from the public service for delinquency or misconduct or who has intentionally made a false statement of any material fact or practiced or attempted to practice any deception or fraud in his application, or in his examination.

Section 11. TEMPORARY APPOINTMENT. Pending the availability of a list of names certified as provided in Section 13 thereof, positions may be filled by temporary appointment. The Personnel Board may grant permanent status in a position in the classified service so long as such position remains in the classified service, to any employee who has served in a vacancy in a position then in the classified service by temporary appointment for at least twelve (12) months and who has passed his examination, if at the time of such action by the governing body no such list of names has been so certified for the vacancy in which the said employee is serving.

Section 12. LISTS OF NAMES OF PERSONS AVAILABLE FOR APPOINTMENT. Lists of names of persons available for appointment to a vacancy in a position in the classified service will be selected for certification as provided in Section 13 hereof in the order in which they appear from among the laid-off persons on the reemployment list, promotional eligible list, original appointment eligible list, and

reemployment list composed of former employees for said vacancy, which lists shall have priority one over the other in the order named. A former employee with probationary status with respect to the vacancy may, with the approval of the appointing authority, have his name placed at such position on the promotional eligible list as the appointing authority may designate. Policies and procedures for administering eligible lists and covering the duration, cancellation, replacement, and consolidation of such lists, and the removal or suspension of names therefrom shall be provided in the personnel rules.

Section 13. METHOD OF FILLING VACANCIES. Except as hereinafter provided, vacancies in positions in the classified service shall be filled by the appointing authority by the appointment of a person whose name is certified, within thirty (30) days after certification. Certification shall be made upon request of the appointing authority therefor whenever a vacancy exists, the appointing authority, in his discretion, determine that such vacancy shall be filled, and the name of an applicant for such vacancy is eligible for certification. If there is a laid-off person on the reemployment list with respect to a vacancy, only the top name on such list shall be eligible for certification. In the event the top person is not available for appointment, the next ranking names may be certified until the highest ranking person who is available is appointed. In the event there is no such reemployment list, and the names on the promotional eligible list for such vacancy plus the names on the original appointment eligible list for such vacancy equal three (3) or more, the three (3) names ranked highest on the said promotional eligible list shall be eligible for certification provided, however, should the said promotional eligible list not contain three (3) names, then the names appearing thereon, plus such of the names ranked highest on the said original appointment eligible list as will be sufficient to bring the number certified to three (3) shall be eligible for certification. If after making a reasonable effort it should prove impossible for the appointing authority to locate any of the persons so certified or should it become known to the board that any person so certified is not willing to accept the position, the appointing authority may request that additional names be certified until the appointing authority has available to him a list from which to make the appointment containing the aforesaid authorized number of persons all of whom are available for such appointment and willing to accept the position, or, in the event that the list certified to the appointing authority contains fewer than the authorized number of available and willing persons as aforesaid from which to make a selection, the appointing authority, in his discretion, may choose from the remaining certified names, make a temporary appointment, or make no appointment. In the event that there the board deems to be appropriate from which to fill the vacancy, the board shall prepare such a list within a reasonable time after receipt of the request of the appointing authority that eligibility be certified. Provided, however, nothing herein contained shall be construed as preventing an appointing authority, in his discretion, from withdrawing his request for the aforesaid certification, either before or after such certification has been made in response to his request therefore. Whenever a person has been certified to and rejected times, the board may remove the name of such person from the eligible list on which his name appeared. A person shall be deemed to have been so ejected by an appointing authority with a vacancy is filled from an eligible list on which his name appeared and such person was not selected to fill the vacancy.

Section 14. PROBATION. Except as provided in Sections 2 and 3, to acquire permanent status in a position in the classified service so long as such position remains in the classified service, employees shall be

subject to a period of probation. The regular period of probation shall be six (6) months; provided, however, the board may adopt rules and regulations specifying a longer period of probation for a designated class or classes, or for extension of the probation period for any individual probationary employee, but no probationary period may extend beyond twelve (12) months. The work and conduct of employees with a probationary status shall be subject to close scrutiny and evaluation. An employee retained beyond the end of the probationary period shall have permanent status in the position in which he was so retained so long as that position remains in the classified service if, but only if, the appointing authority files a written statement with the personnel board affirming the fact that the services of the employee have been found to be satisfactory.

Section 15. ABSENCES: HOURS OF WORK. Rules shall be adopted in the manner hereinafter provided prescribing hours of work and the conditions and length of time for which leaves of absence with pay and leaves of absence without pay may be granted. These shall cover such matters as vacations, holidays, sick leaves, leaves for military service, and leaves granted so that the employee can seek election to public office.

Section 16. LAY-OFF OF EMPLOYEES. Any employee may be separated from his position by being laid-off. Reduction in the number of employees shall be made in such class or classes as the appointing authority may designate; provided, however, within each class affected by such reduction employees shall be laid-off in the following order: (1) temporary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (2) probationary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (3) other temporary employees; (4) other probationary employees; and (5) employees having permanent status in the position in the classified service.

Section 17. DISMISSAL, DEMOTION AND SUSPENSION OF EMPLOYEES. Any employee may be dismissed, suspended without pay or denoted by his appointing authority for, but not limited to any violation of the provisions of this act or whenever the good of the service will be served thereby or the employees work, performance, conduct on or off the job, or insubordinat attitude so warrants; provided, however, that no employee may be suspended without pay for more than 10 working days at any one time or for more than 10 working days in any one year; and provided further, that no employee shall be dismissed, suspended without pay or demoted for political considerations other than those enumerated in Section 21 hereof. Any person appointed to a position who has secured his certification therefor through fraud shall be removed by his appointing authority and shall not thereafter be eligible for examination for or appointment to any position except by unanimous permission of the board. The appointing authority shall promptly report to the board in writing the fact and extent of all disciplinary action taken by said appointing authority against employees holding positions in the classified service.

Section 18. PROCEDURE FOR PROTESTING CERTAIN DISCIPLINARY ACTION. An employee shall have the right to protest any disciplinary action taken against him by his appointing authority; provided, however, an employee serving by temporary appointment and an employee having probationary status shall have no right to protest any such disciplinary action, unless such employee had permanent status in some other position at the time he was appointed to his present position. An employee desiring to protest any disciplinary action directed against

him by his appointing authority shall file a protest in writing with the board and with his appointing authority within not less than 7 days and no more than 40 days of the date on which the disciplinary action was taken and request a hearing before the board. Within 7 to 21 days after receipt of the protest, his appointing authority shall file with the chairman of the board and mail to the employee by certified call a statement specifying the charges against such employee on which the disciplinary action was based. Upon the filing of such charges, the said chairman shall call a meeting of the board to be held within 7 days after the filing of such charges to hear such protest, and shall forthwith give notice by certified mail to the employee and his appointing authority of the time and place of such meeting. The board shall have the authority to continue the hearing from time to time as may be necessary. In preparing for and conducting such hearing, the chairman and secretary-treasurer of the board shall each have the power to administer oaths, and to subpoena and require the attendance of witnesses and the production of books, documents and accounts pertaining to the subject under investigation.

Subpoenas issued as herein provided shall be served (and the fees and allowances for the service thereof shall be the same) as is provided by law for the service of subpoena issued by the Circuit Court of Houston County, Alabama. Said fees and allowances in connection with the service of such subpoena issued at the request of the appointing authority or the board shall constitute reasonable and necessary expenses of the board. Such subpoena issued at the request of the employee shall be served as aforesaid but only after such employee has deposited sufficient security with such sheriff or other officer as will guarantee payment of such fees and allowances for such service. In the event any person is duly summoned to appear and testify or produce evidence, or both, before the board, and such person refuses to attend or testify or produce such evidence, or any of them, in obedience to such summons, the board shall have the right to invoke the aid of the circuit court at law. In such event, and upon proper showing by the board to the court, the court shall issue, or cause to be issued, an order or subpoena requiring such person to appear before the board and produce all evidence and give all testimony relating to the issue within his knowledge. Any person failing to obey any such summons by either of said officers of the board without good cause, to be determined by the court, may be punished by the court in the same method as is provided by law for contempt of the court and any person failing to obey such order or subpoena of the court, may be proceeded against by the court as is by law provided in the case of contempt of such court. In addition, any employee of Houston County who fails to obey any of such orders or subpoenas may be disciplined as provided in Section 17.

At the hearing the employee and his appointing authority shall each have the right to be represented by counsel. Such hearing shall be governed by rules of practice and procedure adopted by the board, and in conducting such hearing, the board shall not be bound by the technical rules of evidence. No informality of procedure in the conduct of such hearing shall invalidate any decision made by the board. At the conclusion of the hearing, the board shall render a decision (a) affirming the disciplinary action taken if it is reasonably satisfied from the evidence offered at the hearing that the disciplinary action taken was lawful or was not too severe; or (b) reversing the action of the appointing authority if it is reasonably satisfied from such evidence that the disciplinary action taken was not lawful; or (c) modifying the disciplinary action taken and prescribing the proper penalty if it is reasonably satisfied from such evidence that the employee was subject to some disciplinary action, but that the penalty imposed was too severe. If the

board's decision reduces the severity of the disciplinary action taken against the employee, the board, in its decision, may provide that the employee shall be reinstated with or without pay, provided, however, in the event any employee is so ordered to be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the probationary period next preceding the taking of the disciplinary action in question. A copy of the board's decision shall be filed with the clerk of the personnel board and such decision shall become effective immediately upon such filing, and it shall become final 7 days thereafter unless reversed or modified as hereinafter provided. The personnel board shall be represented by its attorney, or an attorney designated by the personnel board, and said attorney may perform such duties as the board may direct and require. Any compensation paid said attorney shall be paid as in Section 22 hereof.

Section 19. APPEAL TO THE COURT. Decisions of the board may be enforced in the court by mandamus, injunction, or other appropriate proceedings. The employee, the appointing authority, or the Houston County Commission may, within 21 days after the decision of the board is rendered, appeal to said court from any decision of the board affirming, imposing or refusing to affirm or impose dismissal or demotion as disciplinary action by filing notice of such appeal with the court and causing a copy of such notice to be served on the appointing authority and any member of the board. Upon the filing of such notice, the board shall file with the court a certified transcript of the proceeding had before it with respect to the appeal, and its decision in the matter. The appeal shall be heard at the earliest possible date by said court sitting without a jury on the issues made before the board and the trial in said court shall be de novo. No bond shall be required for such an appeal and the cost of such appeal shall be taxed against the unsuccessful party or as the judge may direct. At the conclusion of such hearing the court may affirm, reverse or modify the board's decision, or remand the case for further proceedings before the board as the court in its discretion shall deem best. If the order of the court is that the employee shall be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the probationary period next preceding the taking of the disciplinary action in question. An appeal may be taken from any judgment of said court to the Court of Appeals or Supreme Court as provided by law.

Section 20. RECORDS TO BE MAINTAINED BY BOARD. The board shall maintain adequate records of its proceedings, of its own official acts, the examination record of every candidate, and the employment record of every employee.

Section 21. POLITICAL ACTIVITIES PROHIBITED. No person holding a position in the classified service shall keep or attempt to use any political endorsement in connection with any appointment to a position in the classified service. No person holding a position in the classified service shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or politician action of any person or for any consideration. No employee holding a position in the classified service shall, directly or indirectly, pay or promise to pay any assessment, subscription, or contribution for any political organization or purpose, or solicit or take any part in soliciting any such assessment, subscription, or contribution. No person shall solicit any such assessment, subscription, or contribution of any employee holding a position in the classified service. No employee holding a position in the classified service shall be a can-

didate for nomination or election to any public office, or shall take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote, unless on authorized leave of absence for such purpose. Any person holding a position in the classified service who violates any provision of this section may be disciplined by dismissal, suspension without pay, or demotion as provided in Section 17 of this act. In addition, any person holding a position in the classified service who wilfully violates any provision of the section shall be guilty of a misdemeanor and upon conviction shall be punished as provided by Section 327 of Title 15 of the Code of Alabama of 1940.

Section 22. Expenses of Board. The governing body shall make necessary appropriations from the general fund of pay the reasonable and necessary expenses incurred by the board and its members in the administration of this act.

Section 23. RIGHT OF GOVERNING BODY. Nothing herein shall be construed as restricting the right of the governing body (1) to refuse employment and prohibit the further service of any person who is a member of an organization which is opposed to the basic purpose of local self government; or (2) to increase or decrease proportionately the compensation of all employees; or (3) to use independent contractors for performance of work or the rendering of service by the county.

Section 24. SEVERABILITY. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 25. REPEALER. All laws or parts of laws which conflict with this act are repealed.

Section 26. EFFECTIVE DATE. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA

HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: 7-17, 24, 31; 8-7-73 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 8 day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Register:

S. 887. To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor

more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties," is hereby repealed.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: 7-20, 27; 8-3, 5-73 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 8 day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Givhan:

S. 888. Relating to elections and voting in them; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing that procedures to be used in connection with elections in which these systems are used, including additional

procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

Committee on Constitution and Elections.

By Mr. O'Bannon:

S. 889. To provide for an investigator in the district attorney's office of the Thirty-First Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Cook:

S. 890. Relating to counties having a population of 600,000 or more inhabitants according to the most recent Federal decennial census; providing for the establishment of a county compensation commission and to provide for the make up of the commission and to subscribe the duties of the commission.

Committee on Local Legislation No. 2.

By Mr. Cook:

S. 891. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 300,000 according to the most recent federal decennial census.

Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 322. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974 and September 30, 1975.

JOHN W. PEMBERTON,
Clerk.

REPORTS OF COMMITTEES

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Register:

S. 686. To amend Act No. 1405, S. 1058, Regular Session 1971 (Acts 1971, p. 2373), which act provides for levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; provides for the administration of the act and the collection and distribution of the proceeds of the tax; and prescribes penalties for violation, in counties having a population of not less than 52,500 nor more than 54,000.

By Mr. Register (with notice and proof):

S. 826. Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County; repealing conflicting laws; and prescribing the effective date of this Act.

By Mr. Register (with notice and proof):

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

By Mr. Register (with notice and proof):

S. 828. Relating to Dale County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Dale County.

By Mr. Register (with notice and proof):

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

By Mr. Dozier:

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

By Mr. Dozier:

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

By Mr. Owen:

S. 777. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing an additional expense allowance for the county solicitor of such counties.

By Mr. Owen:

S. 778. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing for an additional clerk hire allowance for the offices of probate court within such counties.

By Mr. O'Bannon:

S. 787. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and to provide the means and manner for the payment of the same, so as to provide further for such compensation.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill, and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Malone (With Substitute):

S. 790. To create the office of Supernumerary Probate Judge in each county in Alabama having a population not less than 90,000 and not more than 100,000, according to the most recent federal decennial census or any succeeding federal census; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of compensation or salary of any county supernumerary probate judge.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Melton (with notice and proof):

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

By Mr. Melton (with notice and proof):

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

By Mr. Malone:

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

By Mr. Horne (with notice and proof):

S. 801. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

By Mr. Shelby (with notice and proof):

S. 803. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

(The above Bill was read a second time at length as required by the Constitution.)

By Mr. Shelby (with notice and proof):

S. 804. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreational areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

By Mr. Littleton (with notice and proof):

S. 807. To amend Section 1 of Act No. 37, H. 66 Organizational, Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended which applies in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

By Mr. Baker (with notice and proof):

S. 809. To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," so as to correct certain discrepancies in the description of the boundary lines.

By Mr. Shelby:

S. 810. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

By Mr. Shelby (with notice and proof):

S. 812. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

By Mr. Melton (with notice and proof):

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

By Mr. Melton (with notice and proof):

S. 816. Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that

no testimony need be presented as to whether any part of such claim having been previously paid.

By Mr. Lindsey:

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

By Mr. Lindsey (with notice and proof):

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

By Mr. Lindsey:

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

By Mr. O'Bannon:

S. 822. Relating to all counties having populations of not less than 16,350 nor more than 16,650, providing an allowance for secretarial assistance for the register in equity under certain conditions.

By Mr. Owen (with notice and proof):

S. 825. To authorize the Baldwin County governing body to appoint a Baldwin County Historical Commission to prescribe the powers and duties of and grant funds to said commission.

By Mr. Malone (with notice and proof):

S. 830. To amend Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah County from membership of such Authority at the end of current term of office of said senator.

By Mr. Malone:

S. 831. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for the creation, establishment, operation, management and purchase of equipment of and for an animal shelter in such counties and for the appointment of a humane officer and necessary assistants.

By Mr. O'Bannon:

S. 848. To provide for supplementing the salary or compensation paid to retired or supernumerary Circuit Judge having more than eighteen (18) years continuous service in office, as a Circuit Judge in the 31st Judicial Circuit of Alabama, consisting of Colbert County, and to provide an office in the Courthouse for such Judge.

By Mr. Baker:

S. 832. Relating to all counties having populations of not less than 38,100 nor more than 40,500; abolishing the office of county solicitor or deputy district attorney in such counties.

By Mr. Baker:

S. 833. To provide additional compensation for each official court reporter of the Thirty-eighth Judicial Circuit.

By Mr. Baker:

S. 834. To establish in the Thirty-eighth Judicial Circuit the office of clerk-secretary to each circuit judge of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the county comprising the Thirty-eighth Judicial Circuit.

By Mr. Baker:

S. 835. Relating to all counties having populations of not less than 38,100 nor more than 40,500, authorizing the respective governing bodies of such counties to designate and set up certain projects relating to construction of roads and bridges therein.

By Mr. Baker:

S. 836. To amend Act 249, S. 171, Regular Session 1973, which provides additional compensation for the official court reporters of the ninth judicial circuit, so as to change the method of payment.

By Mr. Owen:

S. 837. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide for clerk hire for the tax assessor and tax collector of such county.

By Mr. Owen:

S. 838. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the probate judge of such county.

By Mr. Owen:

S. 839. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the members of the governing body of such county.

By Messrs. Stokes, Nettles and Roberts:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

By Messrs. Therrell, Stokes, Callahan, Perloff and Nettles:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

By Messrs. Wood and Downing:

H. 1509. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic

Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

By Mr. Wood:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

By Messrs. Stokes, Nettles, Downing and Roberts:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

By Mr. Snell (with notice and proof):

H. 302. Relating to Chambers County; providing further for the compensation of members of the board of registrars.

By Mr. Snell:

H. 303. To repeal Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), relating to counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census, which act abolishes the Court of County Commission of such counties and creates in lieu thereof a County Commission.

By Mr. Snell (with notice and proof):

H. 304. Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

By Mr. Snell (with notice and proof):

H. 305. Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

By Mr. Snell:

H. 306. To repeal Act No. 1696, H. 2309, Regular Session 1971 (Acts 1971, p. 2856), an act relating to all counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census; relieving the chief clerk of the probate judge of any duties as purchasing agent for the county, and authorizing the governing body to appoint another purchasing agent.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Barron:

H. 894. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

By Mr. Grainger:

H. 617. To amend Act No. 1260, Regular Session, 1971; to provide criminal penalties for willful or negligent violations of said act; to provide criminal penalties for knowingly making false statements, representations, or certifications in material filed or required to be maintained under said act, and for falsifying, tampering, or knowingly rendering inaccurate monitoring devices or methods required to be maintained under said act; and to provide an effective date.

By Messrs. McCluskey and Smith (P):

H. 511. To validate in certain cases elections hertofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

By Messrs. McCluskey and Smith (P):

H. 512. To validate in certain cases municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

By Messrs. McCluskey and Smith (P):

H. 513. To validate in certain cases elections hertofore held in municipalities or counties on the question of the issuance of bonds.

By Mr. Mathews:

H. 399. To amend Act No. 758, S 556, Regular Session 1967, which Act fixes the salary range of the State Budget Officer, by placing the authority to fix such salary in the State Personnel Board.

By Mr. Ellis:

H. 191. To amend Section 1 of Act No. 253, H. 41, Special Session 1966 (Acts 1966, p. 377), which exempts from civil liability certain persons who render emergency care at the scene of an accident, casualty or disaster; so as to exempt certain other persons.

By Mr. Stokes:

H. 253. To amend the Code of Alabama, 1940, Title 34, Section 6, relating to performance of civil marriage ceremonies, so as to include the authorization of all Inferior Court Judges or Statutory Court Judges with less position than Circuit Court Judges to perform marriage ceremonies.

By Mr. Stokes:

H. 268. To amend Code of Alabama, Title 14, Sections 331 and 334; which sections define and distinguish the offences of petit and grand larceny, so as to raise the dollar amount of property stolen or converted, which distinguishes petit larceny from grand larceny.

By Mr. Perloff, et al:

H. 493. To provide for the recovery of possession of personal property.

By Mr. Timmons, et al:

H. 772. To establish definitions for the term short-barrelled shotgun, and to provide penalties for the possession of said weapon.

By Messrs. Hill, Hobbie, Taylor and Barron:

H. 757. To amend Code of Alabama 1940, Title 15, Section 104 which provides for the issuance of search warrants by a local magistrate, based on probable cause, delivered to the county sheriff, so as to provide for the issuance of such warrant to the sheriff or any state law enforcement officer.

By Mr. Jones (E), et al (with notice and proof):

H. 640. To provide for the compensation to be paid the Deputy District Attorneys who are elected by the people, in all counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same, and to provide the date when said act shall go into effect.

By Messrs. Wilson, Vacca, Bailes, Lybrand, Gilmore and Pelham:

S. 117. To prohibit a limit on the number of times that a person, otherwise qualified, may take the Alabama Bar Examination.

By Mr. Wilson:

S. 97. To amend Title 17, Section 31, Code of Alabama 1940, as amended, which relates to applicants to register to vote so as to allow the probate judge the power to accept such applications and administer the necessary oaths.

By Mr. Littleton:

S. 39. To prohibit the operator of any motor vehicle from fleeing or attempting to elude a peace officer and to provide for the punishment of same.

By Mr. Littleton:

S. 42. To prohibit the false impersonation of a law enforcement officer and to provide for punishment of same.

By Messrs. Jones and Pierce:

S. 672. To repeal Section 5 of Act No. 755, H. 49, Regular Session 1967 (Acts 1967, p. 1609), an act providing for supernumerary tax collectors, tax assessors, license commissioners or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State; so as to eliminate the exclusion of officials eligible for retirement under any state or county retirement act.

By Mr. Dominick:

S. 782. Amend Title 13, Section 261, which authorizes each circuit court judge to appoint a competent court reporter to perform the duties of official court reporter of the courts in the circuit over which said judge presides.

By Mr. Dominick:

S. 621. To amend Section 279, Title 17, Code of Alabama 1940, as amended, which relates to campaign expenditures and is commonly known as "Alabama Corrupt Practices" Law, so as to re-insert the requirement that a financial disclosure concerning campaign expenditures be made from 10 to 15 days before the election.

By Mr. Shelby:

S. 741. Relating to the activities, registration, and reporting requirements of persons engaged in activities designed to influence legislation; providing for enforcement of the Act; providing penalties and prohibiting certain acts.

By Mr. Shelby:

S. 95. To create a court, known as the "Crime Victims Compensation Court of Alabama", which court has the power to review the claims of victims of alleged criminal acts, to determine the validity of such claims, and to award compensation to such victims from a fund created by the State of Alabama.

By Messrs. Shelby and Harris:

S. 742. To amend the title and Sections 12 and 14 of Act No. 1160, S. 895, of the 1969 Regular Session, relating to the revision, codification, digesting and promulgation of the public statutes of this State, so as to designate a continuing committee to read, revise, amend and correct the manuscript of the Code.

By Mr. Shelby:

S. 788. To further amend Act No. 288, approved July 7, 1945 (General Acts 1945, p. 478) relating to supernumerary circuit judges, their qualifications, appointment, duties, designations and compensation.

By Mr. Baker:

S. 591. To repeal Act No. 514, H. 984, approved September 16, 1963, Regular Session 1963 (Acts of Alabama 1963, p. 1098), entitled, "An Act To create the State Sovereignty Commission in the Executive Branch of the Government of the State of Alabama, to provide for the membership thereof; to describe its duties, authority and powers; to provide the method for the selection of its members, their status and term of service; and to repeal all laws or parts of laws in conflict herewith."

By Mr. Noonan:

S. 516. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

By Mr. Noonan:

S. 515. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Section 1 through Section 15,

Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

Mr. Pelham, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to wit:

By Messrs. Pelham, Lybrand and Harris:

S. 707. To further regulate the procedure for keeping a record of certain non-consumable personal property owned by the State.

By Messrs. Pelham, Lybrand and Harris:

S. 708. To amend Section 22 of Act No. 100, Second Special Session 1959, as amended, so as to authorize the Commissioner of Revenue to require a bond from applicants for a sales tax license for the purpose of securing the payment of any sales tax, penalties or interest due or which may become due under the provisions of said Act No. 100

By Messrs. Pelham, Lybrand and Harris:

S. 709. To provide that any legislative proposal affecting the Teachers' Retirement System of Alabama or the Employees' Retirement System of Alabama be accompanied by an actuarial estimate of all future contributions required of the State or members of the Retirement Systems.

By Messrs. Pelham, Lybrand and Harris:

S. 710. To authorize the Commissioner of Revenue to require a surety bond from all taxpayers liable for the payment of use tax, penalties and interest levied by the provisions of Article 11, Sections 787 through 811 (4), Title 51, as amended, Code of Alabama 1940, for the purpose of securing the payment of any use tax, penalties or interest due or which may become due under the provisions of Article 11, and to provide that any person, firm or corporation who shall fail to file a surety bond after being notified to do so or who shall violate any of the provisions of said Article 11 may be restrained from continuing in business in this state.

By Messrs. Pelham, Lybrand and Harris:

S. 711. To amend Section 708, Title 51, Code of Alabama 1940, by increasing the payment for replacement motor vehicle license plates to three dollars, one dollar to be retained by the license inspector or the probate judge and two dollars to be remitted to the department of revenue.

By Messrs. Pelham, Lybrand and Harris:

S. 712. To create the position of Manager of Printing and Publications in the Department of Finance, to provide for the functions, duties, and responsibilities of this position, to provide for the employment of a manager and additional employees and their compensation, and to make an appropriation.

By Messrs. Pelham, Lybrand and Harris:

S. 716. To provide for service for writs of garnishment and all notices and orders issued pursuant thereto by the Department of Reve-

nue by agents or employees of the Department of Revenue designated in writing by the Commissioner of Revenue.

By Messrs. Pelham, Lybrand and Harris:

S. 717. To create a Data Systems Management Division within the Finance Department, to provide its powers, duties, and authority, to authorize the employment of a Director of such division and additional employees and to provide for their compensation, to create an Advisory Committee and its composition, and to make appropriation.

By Messrs. Pelham, Lybrand and Harris:

S. 718. To amend Section 9 of Act No. 341, H. 26, Regular Session 1945 (Acts 1945, p. 554), which pertains to the Department of Conservation and Natural Resources' powers and duties with respect to lands owned by the State of Alabama, so as to provide that the maximum amount charged by said Department for administering, managing, protecting or developing state owned land will be raised from five percent (5%) of the gross income derived from said land to seven and one-half percent (7½%).

By Messrs. Pelham, Lybrand and Harris:

S. 721. To provide for the purchase of materials, equipment, supplies or other personal property from the United States Government or any of its agencies without receiving competitive bids on such purchases.

By Messrs. Pelham, Lybrand and Harris:

S. 722. To provide for the cost, issuance and use of sport fishing licenses in the salt and brackish waters of this state.

By Mr. Pelham:

S. 723. To amend further Section 64 of Title 36, Code of Alabama, (1940), as amended, so as to increase the fee for learner's permits to fifty cents.

By Messrs. Pelham, Lybrand and Harris:

S. 724. To amend further Section 74 of Title 36, Code of Alabama, (1940) as amended, so as to increase the fee for a duplicate driver's license to \$1.50.

By Messrs. Pelham, Lybrand and Harris:

S. 725. To create the Office of Space Management in the Department of Finance, to prescribe its powers, duties, and responsibilities, to authorize the hiring of a director and staff, and to provide for the compensation of such employees, and to make an appropriation.

By Messrs. Pelham, Lybrand and Harris:

S. 774. To create the Minerals Resource Management Committee; to provide for its membership, duties and responsibilities.

By Mr. Bailes:

S. 334. To amend Title 17 of the Code to allow each voter to be absent from employment in order to vote; to repeal inconsistent acts; to provide for the severability of the provisions of the Act; to provide an effective date for the Act.

By Mr. Bailes:

S. 333. Amending Title 17 of the Code; providing the purpose of this Act; providing for the appointment, powers, seal, compensation and duties of deputy registrars; providing that the board of registrars shall pass upon all applications for registration; to repeal section 28; to allow applications for registration to be taken at any place in the county; to repeal all inconsistent laws; to provide for the severability of this Act; and to provide an effective date.

By Mr. Bailes:

S. 332. Relating to registration of voters; requiring each board of registrars to hold sessions in the evening hours or on Saturdays in order to register voters; providing for the payment of registrars for these sessions; providing for notice of these meetings; repealing inconsistent laws; providing for the severability of this Act; establishing the effective date.

By Mr. Bailes:

S. 331. To amend Title 17 of the Code by adding Article 3D, to establish a permanent system of voter re-identification; requiring each voter to give his correct address when he votes in a general election; requiring each board of registrars to establish a method of recording whether each registered voter has voted in each general election; providing that voters who fail to vote for three consecutive general elections shall be removed from the voter list after proper notice as provided for; providing for the restoration of voters to the voting list; declaring this Act to be a uniform act governing elections; providing for the repeal of certain acts and the continued effectiveness of others; providing for the severability of this Act; and providing for an effective date.

By Mr. Gray (F):

H. 164. Proposing an amendment to the Constitution of Alabama which will repeal Amendment No. 132 of the Constitution of Alabama of 1901 which provided for altering the boundaries, reducing the area or abolishing Macon County.

(The above bill was read a second time at length as required by the Constitution.)

By Mr. Stewart, et al:

H. 625. Proposing an amendment to the Constitution of Alabama providing for and regulating the length of annual and special sessions of the Legislature.

(The above bill was read a second time at length as required by the Constitution.)

By Mr. Gafford, et al:

H. 529. To provide that the poll list actually signed by each voter at any general, special, primary or municipal election held in any county shall be filed and maintained in the probate office as a public record for one year from the date of said election.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen:

S. 538. To make unlawful the use of an artificial light to spot or locate wildlife while having in possession any device with which wildlife could be killed except as provided by regulations of the Commissioner of the Department of Conservation and Natural Resources; to provide the penalty.

By Messrs. Jones and Owen:

S. 550. Proposing an amendment to the Constitution of Alabama which would authorize the enactment of general and local laws with criminal penalties for the conservation and protection of the fish, wildlife, seafoods and agriculture of this state and further, authorizing the delegation to appropriate state agencies the power to promulgate rules and regulations pertaining thereto.

(The above Bill was read a second time at length as required by the Constitution.)

By Messrs. Hawkins, Gilmore, King, Clark, Vacca and Pelham:

S. 567. To designate the deer as the official State game animal.

By Mr. Owen:

S. 668. To further amend Section 8 of Act No. 344, H. 301, 1955 Regular Session of the Alabama Legislature (Acts of 1955, p. 780), as amended, which Act relates to the Fort Morgan Historical Commission, so as to provide further for the expenditure of certain funds received by said commission.

By Mr. Carter, et al:

H. 765. To make unlawful the selling of certain game fish caught or taken from any of the fresh waters of this or any other state, prescribing the penalty therefor.

By Mr. Snell:

H. 852. To designate Asteriated Quartz as the official gem of the State of Alabama, commonly called Blue Star Quartz.

By Messrs. Warren, Mims, Wood and Nettles:

H. 1130. To amend Section 87 of Title 8, Code of Alabama 1940, as amended, pertaining to the penalty for hunting during closed seasons.

By Messrs. Carter, Flippo, Chesnut, Cross, Mims, Warren and Cauthen:

H. 1133. To further amend Section 8 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the Advisory Board of Conservation and Natural Resources; providing that two additional members be added to the Advisory Board of Conservation; providing that the semi-annual regular meetings of said Board be held at times designated by chairman of Board or the Commissioner of Conservation and Natural Resources; eliminating requirement that meetings of Board be held in offices of the Department of Conservation and Natural Resources; and eliminating the prohibition on more than two special meetings of Board per year.

By Mr. Carter, et al:

H. 1134. To designate the Spotted Bass as the official fresh water fish of Alabama.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment and it was read a second time and placed on the calendar, to-wit:

By Mr. Kinsey, et al (With Amendment):

H. 1311. Relating to non-resident hunting licenses; amending Section 2 and Section 4 of Act No. 751, H. 330, Regular Session 1965, (Acts 1965, p. 1365), so as to increase the cost of various types of non-resident hunting licenses.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Kinsey, et al (With Amendment):

H. 1312. Providing penalties for any non-resident of this state who gives false information in order to obtain a resident hunting or fishing license.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed in the calendar, to-wit:

By Mr. Kinsey, et al (With Amendment):

H. 1313. To amend Section 39 and Section 40, Title 8, Code of Alabama 1940, as amended, which sections relate to the costs of non-resident fishing license, so as to further regulate the costs of said licenses.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Malone:

S. 459. To amend Code of Alabama 1940, Title 22, Section 110, in relation to fees for protection against rabies.

By Messrs. Bank, Falkenburg, Weeks and Culver:

H. 674. Further amending Code of Alabama 1940, Title 22, Section 93, relating to Vital Statistics, providing for accurate reporting data for divorces in order for Alabama to remain a registration district in the United States.

By Mr. McClain:

S. 736. Relating to mental health, enacting the Interstate Compact on mental health; providing for the interstate movement of patients; defining terms; providing for the treatment of or transfer of patients between states, regardless of residence, if such transfer would be beneficial to the patient; describing the obligation of the sending and receiving states; providing that the state is not obligated to accept a patient from another state unless agreed to in advance; providing for the payment of costs of transfer; providing for aftercare or

supervision; prescribing a procedure to handle the escape of dangerous patients; providing for the transfer of any patient through states; providing for the continuation of legal guardianship responsibilities and allowing the appointment of supplemental or substitute guardians; providing that this Act does not apply to any person institutionalized while under sentence in a penal or correctional institution or while subject to trial on a criminal charge; providing for a compact administrator; providing for supplemental agreement; prescribing a method for withdrawal from the compact:

By Mr. McClain:

S. 738. Relating to hospitalization of mentally ill persons; defining terms; providing for specified civil, legal and treatment rights of patients, prescribing the duties and responsibilities of all persons and agencies concerned with the admission and treatment of mentally ill persons; prescribing the procedures for voluntary admission, emergency admission, admission for evaluation, and for involuntary hospitalization and treatment; prescribing the quality of care and treatment of patients; authorizing the Alabama Department of Mental Health to issue regulations enforcing the provisions of this Act; and repealing conflicting laws.

By Messrs. Littleton and Fine:

S. 847. To amend Sections 2, 3, 5, 6, 7, 8 and 10 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, and to repeal Section 4 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, said Act creating the Board of Nursing, relating to Nursing and the practice of Nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the disciplining of licensees and fixing penalties for violation of said Act.

By Mr. Burgess:

H. 1108. To amend further Code of Alabama 1940, Title 51, Section 741, as amended by Act No. 73, Section 2, Acts of Alabama 1955, Vol. I p. 188 at pp 190-191, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

By Mr. Burgess:

H. 1109. To amend further Code of Alabama 1940, Title 51, Section 350, as amended, by Act No. 74, Acts of Alabama 1955, Vol. I, p. 191 at p. 192; and as further amended by Act No. 103, Acts of Alabama 1971, Vol. I, pp 184-186, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

By Mr. Burgess:

H. 1110. To amend further Act No. 92, Special Session, 1963, Acts of Alabama 1963, Vol I, p. 257 at p. 258, as amended, by Act No. 135, Acts of Alabama 1964, pp 199-200, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization of the use of funds.

By Mr. Burgess:

H. 1111. To further amend Section 5 of Act No. 298, Regular Session, 1947, General Acts of Alabama 1947, p. 149, as amended, by Act No. 589, Acts of Alabama 1963, Vol. II, pp. 1285-1287; as further amended by Act No. 766, Acts of Alabama 1965, Vol. II, p. 1378, by

changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

By Mr. Burgess:

H. 1112. To amend Act No. 100, Section 32, Second Special Session, 1959, Acts of Alabama 1959, Vol. I p. 298 at pp 314-315, the Alabama Sales Tax Law, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

By Mr. Burgess:

H. 1113. To amend Act No. 78, Second Special Session, 1955, Acts of Alabama 1955, Vol. 1, p. 199, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

By Mr. Burgess:

H. 1114. To amend Section 2, Act No. 312, Acts of Alabama 1959, Vol. 2, p. 889 at 890, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Smith (P) (With Amendment):

H. 1131. To amend Sections 16 and 26 of Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of carcasses, parts thereof, meat and meat food products of such animals, etc.; amend Section 16 of said Act No. 1049 which relates to exemptions from the provisions of said Act by rules and regulations, and amend Section 26 of said Act No. 1049 which relates to enforcement of said Act by injunctive proceedings.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Drake, Smith (P), St. John and McDonald:

H. 1356. To further amend Sections 2 and 8 of Act No. 46 Second Special Session 1955 so as to conform to the Federal Egg Products Inspection Act, and to further insure the highest quality eggs for the consumers.

By Messrs. Drake, St. John and Smith (P):

H. 1540. To further amend Section 1 of Act 384, Regular Session 1965, (Acts 1965, p. 517), to levy an excise tax on the storage, use or other consumption in this state of certain tangible personal property purchased at retail, in lieu of the state use tax levied by Code 1940, Title 51, Section 788, as amended, and to provide for the enforcement and collection of such tax.

By Messrs. Drake, St. John and Smith (P):

H. 1541. To further amend Section 1 of Act 383, H. 57, Regular Session 1965, (Acts 1965, p. 516), relating to the tax levied on farm machinery and equipment sold for agricultural purposes.

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McCluskey and Smith (P):

H. 499. To amend Sections 3, 5, 6, 8, 18, 21, 31, 37 and 39 of Act 663, Senate 132, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for and regulate general and special elections in the cities and towns of 300,000 population or less, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding the election; and to require ninety day prior residency of candidates; and to authorize establishment of voting centers.

By Messrs. McCluskey and Smith (P):

H. 500. To amend Sections 4, 6, 7, 9, 19, 22, 32, 38 and 40 of Act 664, Senate 133, Acts of Alabama 1961, enacted at the 1961 Regular Session of the Legislature of Alabama, as amended, which said act is to provide for and regulate elections in cities and towns of 300,000 population or less which have a commission form of government; designating the date for regular elections and authorizing the Board of Commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections; and to require ninety days prior residency of candidates; and to authorize establishment of voting centers.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation # 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Timmons and Adwell (With Amendments):

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population of more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation # 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Doss, et al:

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

By Mr. Timmons (with notice and proof):

H. 1636. To further amend Sections 1, 2, 3 and 6 of Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions, Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

Mr. Lindsey, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (F) et al (With Amendment):

H. 1005. To create a uniform military code by rewriting Sections 1-185 and Sections 203-349 of Title 35, Code of Alabama and amendments thereto, to provide for the Alabama National Guard and naval militia and to provide for the Alabama State Guard; to provide for the training, regulation, maintenance and appropriations therefor; to establish the state military department and the office of the Adjutant General and to prescribe the duties, authority, and power of such department and office; to establish a uniform code of military justice and to provide other authority incidental to the proper establishment and maintenance of the Alabama National Guard, naval militia, and the Alabama State Guard.

BILL RECONSIDERED

On motion of Mr. McLain, the Senate reconsidered the vote by which the Bill, H. B. 996, was indefinitely postponed on the Twenty-Eighth Legislative Day.

Mr. McLain then moved that the Bill, H. B. 996, be re-referred to another standing committee, which motion was adopted.

And the President and Presiding Officer ordered said Bill, H. B. 996, re-referred to the Standing Committee on Local Legislation No. 1.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 173. REQUESTING STATE PERSONNEL BOARD TO SURVEY ENVIRONMENTAL AND INDUSTRIAL PROFESSIONAL AND TECHNICAL PERSONNEL CLASSIFICATIONS IN SOUTH-EASTERN REGION.

On motion of Mr. Harris, said Resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 322. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1974, and September 30, 1975.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 167. COMMENDING MRS. JUANITA LEDBETTER UPON BEING NAMED PRESIDENT OF THE ALABAMA ASSOCIATION OF SCHOOL OFFICE PERSONNEL.

Also:

H. J. R. 168. MOURNING THE DEATH OF MR. WILLIAM A. OLDACRE.

Also:

H. J. R. 169. COMMENDING MR. BART STARR.

Also:

H. J. R. 170. COMMENDING JOHN T. "TOMMY" KIRK.

Also:

H. J. R. 171. COMMENDING LEWIS E. McCRAY FOR HIS AMERICAN LEGION AND OTHER CIVIC ACTIVITIES, AND WISHING HIM THE BEST OF LUCK TOWARD HIS ELECTION AS NATIONAL COMMANDER OF THE AMERICAN LEGION.

Also:

H. J. R. 180. MOURNING THE DEATH OF JOHN MYRICK ASHLEY, JR.

were again read and, on motion of Mr. Harris, were adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 66. COMMENDING THE TOMATO CROP IN TAYLOR, ALABAMA.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McCorquodale:

H. J. R. 185. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 14, 1973.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Harris, the Rules were suspended and the Resolution, H. J. R. 185, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Carnes, Waldrop and Wynot:

SYNOPSIS: This resolution names the Coosa River Bridge to be built at Southside, Alabama after Senator Richard Malone.

RESOLUTION

H. J. R. 166. To name the new Coosa River Bridge to be built on Highway 77 at Southside, Alabama after State Senator Richard Malone.

WHEREAS, Senator Richard Malone has served his county, senatorial district, and state in many civic and public endeavors; and

WHEREAS, Senator Malone, as a member of the Alabama Senate, has sponsored and acquired both public and legislative support to provide for the building of a new Coosa River Bridge at Southside, Alabama for the enjoyment, convenience and betterment of the people of Etowah County; and

WHEREAS, the new Coosa River Bridge to be located in Senator Malone's home county of Etowah will provide great convenience and utility to the citizens of that county and the entire state; and

WHEREAS, it is fitting and appropriate, and desired by his fellow citizens of Etowah County, that some commemoration of Senator Malone's dedication and effort be made a part of the new Highway 77 Coosa River Bridge as a lasting reminder of his untiring work in bringing about the creation of that bridge;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that the new Coosa River Bridge to be located on Highway 77 in Southside, Alabama, Etowah County, is hereby designated The Richard Malone Bridge, in honor of Senator Richard Malone;

BE IT FURTHER RESOLVED, that the Director of the State Highway Department is hereby authorized and directed to erect appropriate signs and markers along the above described bridge displaying the name hereby established.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 166, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 85. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business, upon reaching bills on third reading, for the Twenty-Ninth Legislative Day only.

Page No.

1. H. B. 331	176	Mental Health Appropriation Bill
2. H. B. 1024	152	Supplemental Appropriation bill
3. H. B. 803	94	Electric Coop Quorum Requirements
4. H. B. 977	130	County Rate changes, ad valorem
5. S. B. 552	62	Lt. Governor's Office
6. S. B. 670	93	Lt. Governor's Office
7. S. B. 336	21	Salary Commission
8. H. B. 314	29	Title Law
9. H. B. 212	171	Franchise Tax
10. H. B. 1025	110	Capital Requirements Domestic Life Ins. Co.

11.	H. B.	860	111	Increases Severance Tax Forest Products
12.	H. B.	447	110	Petroleum Products
13.	S. B.	145	10	Teacher Tenure Law
14.	S. B.	253	68	Merchandise Mart
15.	H. B.	251	152	Public Safety Communications System
16.	S. B.	622	124	Identify years of service—retirement system
17.	S. B.	245	25	Boxing and Wrestling Commission
18.	S. B.	527	56	Records of Copper wire purchases
19.	H. B.	835	153	Supplemental appropriation—coliseum
20.	S. B.	223	148	Board of Education Expenses
21.	S. B.	685	171	Judge's Reform Bill
22.	S. B.	470	85	Alabama Non Profit Corporation Act
23.	S. B.	5	56	Condominium Bill
24.	S. B.	756	104	Exempt Tobacco from ad valorem, when stored
25.	S. B.	186	82	Expenses Circuit Judges
26.	S. B.	490	62	Real Estate Commission expenditures
27.	S. B.	735	232	Modernizes Probate Judge's Fees
28.	S. B.	86	52	Driver Education and Training
29.	H. B.	245	67	Circuit Judge—Cullman County
30.	H. B.	292	126	Bar Exam Bill
31.	S. B.	658	81	Bi State Compact (Superport)
32.	S. B.	642	80	Bi State Reciprocal (Superport)
33.	S. B.	311	88	Coastal Area (Superport)

All uncontested local bills and General Bills of Local Application

And said Resolution was then adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

as amended by Mr. Givhan, which said amendment is set out in the Journal of the Senate for the Twenty-Eighth Legislative Day.

Mr. Bailes moved that the Senate reconsider the vote by which the amendment to the Bill, H. B. 691, was adopted, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Mr. Givhan then offered the following amendment to the Bill, H. B. 691, as amended, to-wit:

AMENDMENT TO HOUSE BILL NO. 691, AS AMENDED

Amend House Bill No. 691 on page 8 of said bill by striking out all of Section 18 and substitute therefor the following Section:

"Section 18. EXPENDITURE OF ASSESSMENTS—The funds derived from any assessments levied upon the sale of swine as authorized under this Act shall be used and expended by the certified association after such funds are remitted to it by the Commissioner of Agriculture and Industries for the purpose of promoting and stimulating by advertising and other methods the increased use and sale of swine and swine products, and such funds may also be used for the financing or contributing toward the financing of research, experimental and educational programs for the efficient and economical production, distribution, processing and marketing of swine and swine products. The certified association may enter into cooperative agreements with appropriate agencies of any public or private institution or organization and funds derived from assessments to the extent agreed upon may be contributed to such public or private institution or agency for such research, experimental and educational work performed pursuant to such an agreement. The certified association may also formulate and establish a plan for advertising and sales promotion and to carry out such a promotional program, agreements may be entered into with advertising and public relations agencies or similar organizations. All funds expended hereunder shall be expended for purposes consistent with and in keeping with the purpose or purposes of this Act. Any funds expended by the certified association inconsistent with such purposes and provisions shall be deemed as an unauthorized expenditure of such funds. Any funds approved for expenditure hereunder for a promotional program as authorized under this Act are hereby appropriated for disbursement and expenditure by said certified association to carry out any such approved promotional program or programs and it shall not be necessary for the Legislature to make any specific or general appropriation for such disbursements or expenditures nor shall such disbursements or expenditures be subject to the budget and allotment requirements of Title 55, Chapter 4, Article III, Code of Alabama of 1940, and such disbursements and expenditures shall not be restricted or subject to any other requirements for general or special appropriations. The payment of salaries, purchase of equipment and payment of other expenses necessary to carry out the provisions, requirements and purposes of this Act shall be deemed as authorized expenditures from funds received from assessments levied under this Act."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Dozier	Givhan
Bailes	Carr	Fine	Harris
Baker	Clark	Foshee	Hawkins

Horne	McLain	Register	Weaver	
King	Melton	Shelby	Wilder	
Lindsey	Owen	Vacca	Wilson	
Lybrand	Pelham			—25

Nays: —0

And said Bill, H. B. 691, as thus amended, was then read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Baker	Harris	Malone	Shelby	
Branyon	Hawkins	Melton	Vacca	
Carr	Horne	Noonan	Weaver	
Dozier	Lindsey	Owen	Wilder	
Fine	Littleton	Pelham		—26

Nays: —0

RESOLUTION

Messrs. Bailes, Vacca, Hawkins, Gilmore, King, Dominick, Cook and Lybrand offered the following Senate Joint Resolution, to-wit:

S. J. R. 86. MOURNING THE DEATH OF MERVYN HAYDEN STERNE.

WHEREAS, our creator, in his infinite wisdom, has seen fit to recall to his kingdom the soul of our beloved and distinguished friend, Mervyn Hayden Sterne. Mr. Sterne, age 81, was a leader in business and civic activities in Birmingham and the State; and

WHEREAS, Mervyn Sterne always conducted himself, both professionally and privately, in such a manner as to demonstrate those qualities of character which we would all do well to emulate; his dignity, integrity, ability and devotion to duty were of the highest quality; and

WHEREAS, he gave unselfishly of life and commitment to his state and his community. He was a successful investment banker, being the senior member of the investment banking firm of Sterne, Agee and Leach for over forty years. He was particularly helpful in making a market for the State of Alabama bonds; his firm having bought and sold more State of Alabama securities than any other investment firm in Alabama. Along with his other activities, he served on the board of directors of the Alabama By-Products Corporation, Birmingham; of the Ensley Company, Ensley, Alabama; of Avondale Mills, Sylacauga; of the Classe Ribbon Company; Ramsay-McCormack Land Company; Hayes International Corporation and he served as Vice President and Director of the Alabama Chemical Products Company of Birmingham; and

WHEREAS, throughout his life he was active in civic and cultural affairs. He served as a Community Chest United Appeal board member and volunteer for over forty years. Mervyn Sterne built the Holy Family Hospital; was chairman of the Birmingham Library Board; was vice chairman of the Museum Board; was president of the United Jewish Fund and was a trustee at Birmingham-Southern College. In 1948, he served as chairman of the joint appeal fund-raising for Howard College and Birmingham-Southern College which exceeded its goal by

one million dollars. During the 1960's he undertook leadership of a fund-raising campaign for Miles College which, in 1973, honored him as the recipient of the school's "Outstanding Citizen's Award"; and

WHEREAS, Mervyn Hayden Sterne was a true Southern gentleman every ready to contribute to the needs of his neighbors. His life serves as an example and guiding star for all our people; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the loss of one of Alabama's great citizens, Mervyn Hayden Sterne, and expresses its deepest sympathy to his family and loved ones.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to members of his family.

Which was read and ordered to lay over on the Secretary's Desk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 245. Relating to the Thirty-Second Judicial Circuit; providing for an additional circuit judge in such circuit.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Fine	Littleton	Register
Baker	Foshee	Lybrand	Shelby
Branyon	Givhan	McLain	Weaver
Clark	Harris	Melton	Wilder
Cook	Horne	O'Bannon	Wilson
Dominick			

—24

Nays:

—0

Mr. Baker moved that the Senate reconsider the vote by which the Bill, H. B. 245, was passed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 342. To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Owen, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 342, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 342

Insert the following at the end of the title, viz:

, creating a commission to oversee and direct the action of the Department of Conservation and Natural Resources under the provisions of this Act.

Insert a new Section 3 as follows and renumber the present Sections 3 and 4 as Sections 4 and 5 respectively, viz:

Section 3. There is hereby created a commission to be known as the Fishing Reef Ship Commission that shall have the power to oversee, direct, and govern all actions taken by the Commissioner or the Department of Conservation and Natural Resources or its Division of Marine Resources under the provisions of this Act. There shall be six members of the Fishing Reef Ship Commission who shall serve at the pleasure of the state official appointing them, viz: two members of the House of Representatives of the Alabama Legislature who shall be appointed by the Speaker of the House; two members of the Senate of the Alabama Legislature who shall be appointed by the Lieutenant Governor; one member appointed by the Governor and one member appointed by the Commissioner of Conservation and Natural Resources, who may appoint himself or any member of his staff if he so desires. The commission shall choose one of their members as chairman and shall operate under "Roberts' Rules of Order." The members shall receive no compensation for their services, however they shall receive their actual expenses while traveling or meeting on the business of the commission which shall be paid by the Department of Conservation and Natural Resources out of any funds appropriated to them by the Legislature.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Pelham
Bailes	Fine	Lindsey	Pierce
Baker	Foshee	Littleton	Register
Branyon	Gilmore	Lybrand	Shelby
Carr	Givhan	McLain	Vacca
Cook	Hawkins	Owen	Wilder

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Jones (F):

H. 126. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for

the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows.

H. B. 126. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McBride, Bowers, Meeks, Erdreich, Boutwell, Weeks, Dill, Wallace and McMillan:

H. 1824. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, page 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

Also:

By Mr. McMillan:

H. 1868. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Ses-

sion of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction of otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Also:

By Messrs. Ellis, Falkenburg, McNair, Dill, Hughes, Waggoner, Wallace, McMillan, Adwell, Gafford, McBride, Weeks and Boles:

H. 1883. Relating to counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census; to provide that all members of the public school boards of education in such counties be required to reside within the area over which the particular school system has jurisdiction and to provide that where the board members are elected they shall be elected only by voters residing within that school district.

Also:

By Messrs. Hughes, Boles, Doss, Weeks, Ellis, Bowers, Meeks, Waggoner, McMillan, Gafford, McNair, Erdreich, Dill and McBride:

H. 1886. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

SECTION 1. The Deputy District Attorney of the Bessemer Division of Jefferson County, Tenth Judicial Circuit of Alabama, is hereby empowered to appoint an Assistant Deputy District Attorney to prosecute all Misdemeanor and Preliminary hearings of felony cases in the County Court for the Bessemer Division of Jefferson County, by whatever name said County Court shall now or hereinafter be designated, who shall serve at the pleasure of said Deputy District Attorney. When said Assistant Deputy District Attorney is not engaged in the trial of cases in that Court, he shall perform such other duties in the office of the Deputy District Attorney, before, the Grand Jury or in the Circuit Court of the Tenth Judicial Circuit, Bessemer Division, as the Deputy District Attorney may direct. The compensation of said Assistant

Deputy District Attorney shall be Fourteen Thousand Dollars (\$14,000.00) per annum, payable in equal monthly installments out of the general funds of the County, as other salaries are paid.

SECTION 2. The provision of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaratin shall not affect the part which remains.

SECTION 3. All laws or parts of laws which conflict with this Act are repealed.

SECTION 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were June 15, 22, 29, July 6, 1973.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 6th day of July, 1973.

JOHN E. SMITH,
Notary Public.

Also:

By Mr. Collins:

H. 411. To fix the salary of the Tax Assesor of Mobile County and to regulate the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Synopsis: This bill has the effect of increasing the salary of the Mobile County Tax Assessor to be comparable to other offices with like responsibilities of the same degree of responsibility as involved in the Mobile County Tax Assessor's Office.

To fix the salary of the Tax Assessor of Mobile County and to regulate the payments thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Tax Assessor of Mobile County shall be compensated on a salary basis. He shall be paid a salary of twenty-two thousand

five hundred dollars per annum. Such salary shall be paid in the same manner and at the same time as salaries are paid to employees of that office.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall take effect at the commencement of the term of office of the Tax Assessor of Mobile County which begins next after the passage and approval of this act.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register Apr. 5, 12, 19, 26.

JUDY BEASLEY.

Sworn to and subscribed before me this 1st day of May, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Messrs. Stokes and Nettles:

H. 739. To amend further Code of Alabama 1940, Title 13, Section 254 as last amended by Act No. 313, H. 823, Regular Session 1971, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Synopsis: This bill amends further Code of Alabama 1940, Title 13, Section 254 as amended by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

A BILL TO BE ENTITLED AN ACT

To amend further Code of Alabama 1940, Title 13, Section 254 as last amended by Act No. 313, H. 823, Regular Session 1971, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 13, Section 254, as amended, is hereby amended further to read as follows:

"Section 254. Deputy or assistant district attorneys of the thirteenth judicial circuit. — The circuit solicitor of the thirteenth judicial circuit may appoint four deputies or assistant solicitors, who shall be appointed and serve in lieu of all other deputy circuit solicitors heretofore provided for by law. The four deputy circuit solicitors or assistants herein provided for shall serve at the pleasure of the circuit solicitor, and each shall be assigned a numbered position and receive compensation as follows:

"(a) Deputy No. 1 may serve either full time or part time, as the solicitor may determine. If the deputy serves full time he is entitled to an annual salary of twelve thousand dollars, seven thousand two hundred dollars of which shall be paid from the state treasury and the remainder shall be paid by the county; but if he serves only part time, he is entitled to an annual salary of six thousand dollars, all of which shall be paid from the state treasury.

"(b) Deputy No. 2 may serve either full time or part time as the solicitor may determine. If the deputy serves full time he is entitled to an annual salary of ten thousand dollars, five thousand seven hundred sixty dollars of which shall be paid from the state treasury and the remainder shall be paid by the county; but if he serves only part time, he is entitled to an annual salary of four thousand eight hundred dollars, all of which shall be paid from the state treasury.

"(c) Deputy No. 3 shall serve part time only and is entitled to a salary of four thousand five hundred dollars a year, of which three thousand nine hundred dollars shall be payable from the state treasury and the remainder shall be paid by the county.

"(d) Deputy No. 4 shall serve part time only and is entitled to a salary of four thousand five hundred dollars a year, two thousand two hundred fifty dollars of which shall be paid from the state treasury and the remainder shall be paid by the county.

"The salaries of the deputy solicitors herein provided for shall be paid in equal monthly installments on warrants drawn in the manner prescribed by law. When any deputy of the solicitor serves part restrictions against practicing law prescribed by subsection 12 of Section 229 of this title.

"The district attorney of the thirteenth judicial circuit of Alabama, in addition to the four deputy or assistant district attorneys now provided for, may appoint a full-time deputy or assistant district attorney who shall serve at the pleasure of the district attorney. The said full-time deputy or assistant district attorney shall devote his entire time to the discharge of the duties of the office and is prohibited from practicing law directly or indirectly in any court of this state or of the United States or indirectly in any court of this state or of the United States or in any other manner or form whatsoever, except in the discharge of the official duties of his office.

"The said full-time deputy or assistant district attorney shall be paid an annual salary of \$17,500, eight thousand dollars of which shall be paid from the state treasury and the remainder shall be paid out of the general fund of Mobile County, both in equal monthly installments.

"The district attorney of the thirteenth judicial circuit, in addition to the four deputy or assistant district attorneys and the one full-time deputy or assistant district attorney now provided for by law, may appoint a second and third full-time deputy or assistant district attorney who shall serve at the pleasure of the district attorney. The said second and third full-time deputies or assistant district attorneys shall devote their entire time to the discharge of the duties of the office and are prohibited from practicing law directly or indirectly in any court of this state or of the United States or in any other manner or form whatsoever, except in the discharge of the official duties of the office.

"The second full-time deputy or assistant district attorney shall be paid an annual salary of \$15,000.00. \$8,075.00 of which shall be paid from the state treasury and the remainder to be paid from the general fund of Mobile County, both in equal monthly installments.

"The third full-time deputy or assistant district attorney shall be paid an annual salary of \$13,500, \$6,750.00 of which shall be paid from the state treasury and the remainder to be paid from the general fund of Mobile County, both in equal monthly installments."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register April 13, 20, 27, and May 4.

JUDY BEASLEY.

Sworn to and subscribed before me this 11th day of May, 1973.

E. KOCH,
Notary Public.

By Messrs. Stokes and Nettles:

H. 740. To amend further Section 4, Act No. 172, H. 187, 1st Special Session 1964, as amended, which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by increasing the salary range for the Administrative Assistant to the District Attorney in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1824, 1868, 1883 and 1886. To the Committee on Local Legislation No. 2.

H. B.'s 411, 739 and 740. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, Grainger, Hearn, King and Hale:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms of tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Madison County, Alabama, an intermediate court which shall be known and designated as the General Sessions Court of Madison County, which shall be in lieu of all inferior courts and justices of the peace heretofore existing in Madison County. Said court shall be held in the Madison County Courthouse in places furnished and designated by the Madison County Commission. Said court shall have all the powers and jurisdiction heretofore conferred upon any inferior or county courts or justices of the peace in Madison County. And the judges of said court shall have and exercise all the powers and authority and shall perform all the duties prescribed by law for justices of the peace or the judge or judges of any inferior or county courts heretofore existing in Madison County, and said judges shall have all the power and authority over matters transacted in the General Sessions Court of Madison County.

The court now known as the Madison County Court is hereby abolished. All cases pending in the Madison County Court, together with all documents, papers and judgments and orders of these courts shall be transferred to the General Sessions Court of Madison County created by this Act as if they had begun therein, and all judgments heretofore rendered by the Madison County Court shall be valid and enforceable the same as if they had been rendered by the Court created by this Act, and the Court created by this Act shall have full power, authority and control over the same and may issue execution and other process thereon as if the judgments and orders had been originally rendered in this court.

Section 2. The General Sessions Court shall have and exercise the following jurisdiction, authority and powers in addition to those enumerated above.

(a) The General Sessions Court shall have final jurisdiction, concurrent with the Circuit Court of Madison County, of all misdemeanor offenses committed in Madison County;

(b) The General Sessions Court shall have preliminary jurisdiction in all felony cases arising in Madison County, concurrent with the Circuit Court of said county;

(c) The General Sessions Court shall have final jurisdiction concurrent with the Circuit Court peace proceedings;

(d) The General Sessions Court shall have and exercise jurisdiction in all civil cases at law when the matter or sum in controversy does not exceed three thousand dollars (\$3,000.00).

(e) The General Sessions Court shall have concurrent jurisdiction in non capital felonies with the Circuit Court, for the limited purpose of taking of pleas of guilty and, when it shall be made known to the General Sessions Court that a defendant desires, under the provisions of Constitution of 1901, Amendment XXXVII, to enter a plea of guilty before said court, the judge of said court, or either of them shall be empowered to summon an available court reporter of the Twenty-third Judicial Circuit to record such plea of guilty as before circuit courts, and such plea shall be accepted upon information, and sentence or probation rendered in accordance with the law as if before a circuit court.

SECTION 3. The General Sessions Court shall not be a court of record, except for the limited purpose of taking pleas of guilty in non capital felony cases, but said court shall have a seal of office. The court shall not draw or impanel juries. When a defendant in a criminal misdemeanor case first appears before the General Sessions Court the court shall advise the defendant of his rights to a trial by jury and shall inquire as to whether or not the defendant desires to demand a trial by jury, and if such defendant so demands a trial by jury his case shall be immediately transferred to the circuit court. In the event the defendant does not demand trial by jury he shall be deemed to have waived the same and thereafter shall, on such charge, be tried without jury, and in the event the case is thereafter appealed or transferred to the circuit court to be tried de novo said trial shall also be without jury.

Section 4. All defendants in civil cases shall be advised by the court of their rights to have the case tried before a jury. In the event that a defendant in any civil case desires to have the case tried before a jury then such defendant shall make demand for trial by jury at the first appearance before the court and failing in that shall be deemed to have waived the right to jury trial, provided he has first been advised of his right to have said case tried by a jury as aforesaid. In the event a defendant demands jury trial the case shall be immediately transferred to the circuit be taxed as a part of the costs in the Circuit Court. The filing of any civil case before the General Sessions Court shall be deemed to be a conclusive waiver of the right to jury trial as to the case so filed by any plaintiff. In the event that both parties waive their rights to jury trial as herein set out then any subsequent appeal or transfer, to the court for trial de novo, shall be to the non-jury division of said court by the Circuit Court without the intervention of a jury.

Section 5. The General Sessions Court shall be empowered to punish for contempt in the same manner and to the same extent as judges of the circuit courts.

Section 6. All rules of practice with reference to process, pleading and practice in the several proceedings in the circuit courts in civil and criminal cases shall be applicable to this court provided the judges of the General Sessions Court are empowered to formulate and insti-

tute such different or additional rules as are necessary to the ends of justice and the expeditious disposition of litigation. Summons issued from the court in civil cases may be returnable on a date and time certain, provided that they must be executed at least three days before the return date thereof.

Section 7. Prosecutions for misdemeanors committed in Madison County may be instituted in Madison County by making an affidavit before a judge of said court or such other magistrate as law may designate, the writ on said affidavit to be issued by a judge of said court or issuing magistrate and when the defendant is arrested on said affidavit, the cause shall be docketed for trial and be tried as though the defendant had been indicted by a grand jury. All officers or magistrates having the powers of justices of the peace in Madison County shall have authority to issue warrants returnable to said court, and it shall be their duty in such cases to forthwith transmit the affidavits, warrants and bonds to the clerk of said court, which causes shall be placed upon the docket and tried in the same manner if the same had been returned by indictment of a grand jury.

Section 8. (a) The Supreme Court, the Court of Civil Appeals, and The Court of Criminal Appeals of this state shall have supervisory jurisdiction over this court in the same manner as over circuit courts. The judges of said court may be removed from office in the same manner as is provided for the removal of circuit judges and district attorneys. The Chief Justice of the Supreme Court of Alabama may when he deems proper, by order spread upon the minutes of said court, designate any circuit judge to hold said court, or to try any cause pending in said court.

(b) Vacancies in any office created hereby, unless otherwise provided herein, shall be filled by appointment of the Governor, and persons so appointed shall hold office as required by the Constitution of this state. Provided, however, that any appointment made hereunder by the Governor shall be subject to the provisions of any law or laws which may hereafter be adopted establishing and providing for a Judicial Commission in Madison County.

Section 9. (a) Judges of the General Sessions Court of Madison County shall be elected by the qualified electors of Madison County at the general election of 1978 and every six years thereafter. The term shall be for six years, from the first Monday following the second Tuesday in January following election and until a successor to the office is elected and qualified.

(b) The first judges of the court created hereby shall be the persons holding office as judges of the Madison County Court, and they shall hold office until their successors are elected or appointed and assume office as provided herein. There shall be two judges of the General Sessions Court and the Presiding Judge of the Madison County Court shall become the Presiding Judge of the General Sessions Court until the expiration of his term of office. Thereafter, the judge of the General Sessions Court who has been in office the longer shall preside and if neither has served longer, then the elder judge shall preside, except as otherwise herein provided, it shall be the duty of the Presiding Judge to supervise the administrative functions of the General Sessions Court, but each of the judges of such court shall have authority to direct activities of the General Sessions Court so long as their orders are not in direct conflict.

(c) The judges of the General Sessions Court shall receive an annual salary equal to ninety percent of the total annual compensation paid, by both the State of Alabama and Madison County, to circuit

judges in Madison County and said relationship of salaries shall be maintained at all future times. Said salary shall be paid in equal monthly installments from the general fund of Madison County, Alabama, upon warrants drawn by the judges of said court.

The general funds of Madison County shall be liable to pay the reasonable and necessary expenses of the judges of this court incurred in or about the performance of their duties as judges. Such expenses shall include but shall not be limited to: professional association dues, expenses or travel and lodging to and from professional conferences and seminars, and registration fees at such conferences.

(d) Any judge of said court shall be a qualified elector of Madison County, shall be licensed to practice law in the State of Alabama, shall be of the age of 25 years or over, and shall not engage in the practice of law while in office. In addition to the other powers herein provided, the judges of said court shall have the power and authority of magistrates under the laws of the State of Alabama.

(e) The judges of this court shall keep offices in the Courthouse of Madison County, and it shall be the duty of the Madison County Commission of Madison County, Alabama, to provide such offices, and supply the same with necessary furnishings, fixtures, stationery and supplies.

(f) Each judge of the General Sessions Court shall be empowered to appoint a secretary and a bailiff who shall serve at the pleasure of the judge so appointing them. Such secretaries and bailiffs shall be subject to all laws, regulations and procedures pertaining to the Madison County Personnel Board. The Bailiffs so appointed shall be compensated from the eneral funds of Madison County guidelines of the Madison County Personnel Board, provided however, that the bailiffs of the General Sessions Court shall receive the same compensation as bailiffs of the circuit court of the twenty-third judicial circuit.

Section 10. The Presiding Judge of the General Sessions Court shall appoint a qualified person to serve in the office of Clerk of the General Sessions Court. Said clerk shall serve at the pleasure of the Presiding Judge of said court and shall have the powers and discharge the duties which devolve upon clerks of the circuit courts, except in equity cases, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall keep and maintain a seal of said court. Such clerk shall be empowered to collect for the General Sessions Court all fees presently or thereafter provided for courts of limited jurisdiction or county courts. Said clerk shall have the authority to appoint clerical personnel in the same numbers and compensated in the same amounts as those provided for the Madison County Court, and he shall supervise such personnel in the performance of their duties. The compensation of the Clerk of the General Sessions Court shall be the same as that of the Register of the Circuit Court in Madison County.

Section 11. All laws pertaining to costs and fees in cases in the Madison County court as provided by the laws of this state shall be applicable to this court.

Section 12. All laws heretofore enacted pertaining to the destruction of records of the Madison County Court shall apply in the Court of General Sessions.

Section 13. The sheriff of Madison County shall be an officer of said court, and shall execute all processes from said court and make due return thereon, and all processes issued out of said court shall be addressed to any officer of Madison County, Alabama. Whenever requested to do so by either judge, the sheriff or his deputy shall serve all processes of said court, receiving the legal fees therefor for his services.

Section 14. All parties against whom judgments have been rendered shall have ten days within which to effect appeals to the circuit court, where, except as herein provided, trial may be had as though the case had been originally brought in the circuit court in all civil cases of judgment by default the judge may at his discretion set aside judgment when requested to do so by the defendant within five days after such judgment is rendered. In civil cases when an execution has been issued within twelve months after the rendition of judgment and has not been returned satisfied, an alias execution may be issued thereon at any time within ten years from date of such judgment without a revival of the judgment. When a certificate of judgment has been filed in the office of the probate judge within twelve months from the date of its rendition, execution may issue thereon at any time within ten years from the date of such judgment, whether execution has been previously issued or not, and such recorded judgment shall be a lien on the property of the defendant as provided by law in circuit courts. In all suits brought for minors by their friends in which judgments are obtained and the money or property paid or delivered into court, the said money or property may be paid or delivered to the next friend bringing the suit to be for the use and benefit of the minor, and the said next friend is authorized to receipt the court record or docket for same, which shall be binding on said minor.

Section 15. All laws, local or general, in conflict with the provisions of this Act are, in so far as they conflict with the provisions of this Act, hereby repealed.

Section 16. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 12, 19, 26, and July 3, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 3rd day of July, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Lutz, King, Grainger and Hale:

H. 1684. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that at the 1973 regular session of the Legislature of Alabama, a bill, substantially as follows, will be introduced and application for its passage and enactment will be made.

A BILL
TO BE ENTITLED
AN ACT

To alter the boundary lines of the city of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Huntsville, Madison County, Alabama, be, and the same are altered or rearranged so as to include within the corporate limits of said City of Huntsville all territory now within such corporate limits and also certain other territory in Madison County, Alabama, such said other certain territory is more particularly described as being all of the territory lying within the County of Madison, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

All that part of Sections 3, 9, 10, 15, 16, 21, 22, 23, 26, 27, and 28, Township 5 South, Range 1 East, Madison County, Alabama, particularly described as beginning at the center of the West boundary of Section 3, Township 5 South, Range 1 East; thence, east 2640 feet to the center of Section 3, Township 5 South, Range 1 East; thence, south 3960 feet to the center of the west boundary to the Northeast quarter of Section 10, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the Northeast quarter of Section 10, Township 5 South, Range 1 East; thence, south 10,560 feet to the center of the northeast quarter of Section 22, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the east boundary of the northeast quarter of Section 22, Township 5 South, Range 1 East; thence, South 1320 feet to the center of the east boundary of Section 22, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the north boundary of the southwest quarter of Section 23, Township 5 South, Range 1 East; thence, south 1980 feet to the center of the west boundary of the southeast quarter of the southwest quarter of Section 23, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the east boundary of the southeast quarter of the southwest quarter of Section 23, Township 5 South, Range 1 East; thence, south 3300 feet to the center of Section 26, Township 5 South, Range 1 East; thence, west 1980 feet to the center of the south boundary of the southwest quarter of the northwest quarter of Section 26, Township 5 South, Range 1 East; thence, north 1320 feet to the center of the north boundary of the southwest quarter of the northwest quarter of Section 26, Township 5 South, Range 1 East; thence, west 4620 feet to the center of the northwest quarter of Section 27, Township 5 South, Range 1 East; thence, north 1320 feet to the center of the north boundary of the northwest quarter of Section 27, Township 5 South, Range 1 East; thence, north 2640 feet to the center of Section 22, Township 5 South, Range 1 East; thence, west 1980 feet to the center of the north boundary of the northwest quarter of the southwest quarter of Section 22, Township 5 South, Range 1 East; thence, south 1320 feet to the center of the south boundary of the northwest quarter of the southwest quarter of Section 22, Township 5 South, Range 1 East; thence, west 2640 feet to the center of the north

boundary of the southwest quarter of the southeast quarter of Section 21, Township 5 South, Range 1 East; thence, south 1320 feet to the center of the south boundary of the southwest quarter of the southeast quarter of Section 21, Township 5 South, Range 1 East; thence, west 660 feet to the center of the north boundary of Section 28, Township 5 South, Range 1 East; thence, south 1320 feet to the center of the east boundary of the northwest quarter of Section 28, Township 5 South, Range 1 East; thence, west 1320 feet to the center of the northwest quarter of Section 28, Township 5 South, Range 1 East; thence, north 3960 feet to the center of the south boundary of the northwest quarter of Section 21, Township 5 South, Range 1 East; thence, east 1320 feet to the center of Section 21, Township 5 South, Range 1 East; thence, north 2640 feet to the center of the north boundary of Section 21, Township 5 South, Range 1 East; thence, west 1980 feet to the center of the south boundary of the southwest quarter of the southwest quarter of Section 16, Township 5 South, Range 1 East, which point is further described as being on the present corporate boundary of the City of Huntsville, Alabama; thence, along the eastern boundary of the corporate limits of the City of Huntsville, Alabama, to the place of beginning as follows: north 2640 feet to the center of the north boundary of the northwest quarter of the southwest quarter of Section 16, Township 5 South, Range 1 East; thence, east 660 feet to the center of the south boundary of the northwest quarter of Section 16, Township 5 South, Range 1 East; thence, north 2640 feet to the center of the south boundary of the southwest quarter of Section 9, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the south boundary of Section 9, Township 5 South, Range 1 East; thence, north 2640 feet to the center of Section 9, Township 5 South, Range 1 East; thence, east 1320 feet to the center of the south boundary of the northeast quarter of Section 9, Township 5 South, Range 1 East; thence, north 2640 feet to the center of the north boundary of the northeast quarter of Section 9, Township 5 South, Range 1 East; thence, east 1320 feet to the southwest corner of Section 3, Township 5 South, Range 1 East; thence, north 2640 feet to the center of the west boundary of Section 3, Township 5 South, Range 1 East, the place of beginning and containing 3100 acres more or less.

Section 2. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me July 23, 1973.

HARTWELL B. LUTZ,
Notary Public.

Also:

By Mr. Edwards:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Also:

By Mr. Snell:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended is hereby further amended so as to read as follows:

"Section 1. The compensation of the Deputy Solicitor appointed for Chambers County shall be an annual salary of seven thousand two hundred dollars (\$7,200) and shall be payable in equal monthly installments from the county treasury."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The LaFayette Sun, a newspaper of

general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, May 30, June 6, and June 13, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me July 12, 1973.

GEORGE A. JACKSON,
Notary Public.

Also:

By Messrs. Boles, Gafford, Hughes and Doss:

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1522, 1684, 1371 and 1521. To the Committee on Local Legislation No. 1.

H. B. 1852. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Stubbs, Bowers, Jones (F), Owens, Waggoner and Doss:

H. 823. To purify, preserve and maintain the Cahaba River; to prohibit the construction of additional dams and impoundments; to provide for the removal of those already constructed that are not owned by public utilities or governmental bodies; to prescribe remedies and penalties for violations of this Act and to provide otherwise for its enforcement.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 823. To the Committee on Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mims, Lang, Adams, Downing and Barkett:

H. 517. Relating to the uniform commercial code, amending Sections 9-403 through 9-407, inclusive, of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), respecting the filing of secured transactions, so as to increase the fees to be paid the filing officer for the performance of certain duties.

Also:

By Messrs. Hobbie, Taylor, Jones (F), Barron, Robertson and Hearn:

H. 1061. To provide salary increases for state employees; and to appropriate funds therefor.

Also:

By Messrs. Burgess, Wynot, Stewart, Coshatt, Wallace, Lang, Grey (D), Doss, O'Daniel, Goodwin, Waldrop, Williams, Cauthen, Slate, Hill, Dill, Cross, Porter, Chesnut, Naramore, Boles, McMillan, Timmons, Hughes, Waggoner, Barkett, Robertson, St. John, Culver, Callahan, Drake, Merrill, Gray (F), Fite, King, Hearn, Pruitt, Cottingham, Turner, Wood, Jones (F), Mims, Hobbie, McNair, Warren, Harris, Taylor, Barron, Kinsey, May, Hardin, Bassett, Nettles, Therrell, Downing, Carnes, Roberts, Stokes, Jackson, Wise, Connell, Crawford, Reed (T), Easters, Boutwell, Smith (P), McCluskey, Edwards, Casey, Snell, Adams, Headley, Stubbs, Lyons, Parker, Lutz, Grainger, Carter, Bank, Ellis, Hale, Weeks, Crowe, Flippo, Mathews and McCorquodale:

H. 1550. To amend and re-enact Act No. 1213, H. 844, Regular Session 1971 (Acts 1971, p. 2115), which provides that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, so as to include officers of the State Department of Conservation and Natural Resources and cattle theft investigators of the Department of Agriculture, Division of Stockyards and Brands, and Board of Corrections personnel, within the provisions of said Act.

Also:

By Messrs. Stokes, Roberts, Wood, Downing, Callahan and Lyons:

H. 1248. To supplement Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as heretofore amended, so as to provide a comprehensive system of law applicable to any corporation organized pursuant to the said Act, the service area of which includes a resort area and which has obtained the express approval of the governing body of each county in which it carries on its operations to exercise the powers conferred hereby; to permit such a corporation to construct improvements consisting of sanitary sewers and sewer facilities in resort areas located within its service area which are outside the corporate limits of any municipality and within the service area of such corporation; to provide a method for the assessment of the cost of any such improvements against the property abutting on, or drained, served, or benefited by such improvements; to require the adoption of a resolution describing the improvement and the property abutting on, or the

area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Also:

By Messrs. Owens and Lyons:

H. 1315. To amend Section 343 of Title 55, Code of Alabama 1940, Recompiled 1958, as amended, to provide for an increase in the awarding authority of the State Board of Adjustment.

Also:

By Mr. McCluskey:

H. 1283. To amend Section 8 of Act No. 42 enacted at the 1971 Regular Session of the Legislature, and approved June 29, 1971, relating to Alabama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$50,000,000 and to extend the maximum period of repayment of Authority bonds.

Also:

By Messrs. Connell, Snell, Cottingham, Turner, Chesnut, Adams, Mims, Dill, Boles, Parker, Taylor, Doss, Wallace, Waggoner, Jones (E), Crawford, McCorquodale, Grey (D), Easters, Wise, Jones (F), Boutwell, Brassell, Ellis, King, Coshatt, Wynot, Smith (K), Goodwin, Reynolds, Timmons, Lyons, Drake, Stewart, Weeks, Robertson, Manley, Williams, Cauthen, Carter, Pruitt, Lang, Harris, Hobbie, Owens, Culver and Turnham:

H. 418. To amend the Title and Sections 1, 4, 7, 8, 9, 12, 14, 15, 20 and 21 of the Alabama Turnpike Authority Act, pertaining, respectively, to Legislative Purpose, Powers of the Authority, Bonds and Notes of the Authority, Security for the Bonds, Tolls and Other Charges, Exemptions from Taxation, Projects to be Kept in Good Repair, Regulations and Police Service for Projects, Refunding Bonds and Preliminary Study of Project.

Also:

By Mr. Connell:

H. 692. To amend Section 3 of Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority, and so as to make further provisions regarding the distribution of said share of the net proceeds from said tax.

Also:

By Mr. Connell:

H. 693. To amend Section 13 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended (relating to the excise taxes on diesel oil and other motor fuel as defined in said act as amended), so as to provide for distribution of the net proceeds from said taxes for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 517, 1283, 418, 692 and 693. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1061 To the Committee on Finance and Taxation.

H. B. 1550. To the Committee on Health.

H. B.'s 1248 and 1315. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Owens and Lyons:

H. 1316. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investment by the State Insurance Fund.

Also:

By Messrs. Owens, Lyons, McCorquodale, Drake and Mathews:

H. 342. To make an appropriation to the Governor's Mansion Advisory Board for the renovation, restoration, refurbishing and refurnishing of the Governor's Mansion.

Also:

By Messrs. Owens, Lyons, McCorquodale, Drake and Mathews:

H. 341. To confer additional authority upon the Governor's Mansion Advisory Board and to make an appropriation to the Governor's Mansion Advisory Board for the purchase of property in the block upon which the Governor's Mansion is located.

Also:

By Messrs. Falkenburg, Mims, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich, McMillan, Burgess, Timmons and Wallace:

H. 734. To amend Title 45, Section 144, Alabama Code, 1940, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1316. To the Committee on Insurance.

H. B.'s 342 and 341. To the Committee on Finance and Taxation.

H. B. 734. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mathews, McCorquodale, Drake, Turner, Crowe, Naramore and Reed (T):

H. 324. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

Also:

By Messrs. Mathews, McCorquodale, Turner, Pruitt, Manley, Reed (T) and Cottingham:

H. 326. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Also:

By Messrs. Mathews, McCorquodale, Turner, Smith (K) and Reed (T):

H. 325. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

By Mr. Reed (T):

H. 112. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 324, 326, 325 and 112. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pruitt, Turnham, Wynot, Smith (P), Brassell, Manley, Williams, Slate, Cauthen, Downing, Grainger, Lutz, King, Hearn, Fite, Culver, Bank, Parker, Robertson, Adams, Mims, Carter, Chesnut, Cross, Porter, Hill, Flippo, Goodwin, Reynolds, Grey (D), Lang, Weeks, Waggoner, St. John, McDonald, Bowers Snell, Easters, Harris, Jones (F), Taylor, Barron, Collins, Therrell, Callahan, Hobbie, Wood, Perloff, Agee, O'Daniel, Edwards, Smith (K), Barkett, Reed (T), Gray (F), Casey, Bassett, Owens, Timmons, Headley, Jackson, Wise, Benton, Kinsey, Roberts, Warren, Merrill, Burgess, McCorquodale, Stewart, Drake, Hardin, Adams, McCluskey and Coshatt:

H. 1318. To authorize Alabama Public School and College Authority to sell and issue \$60 million aggregate principal amount of additional bonds for capital improvements for public educational purposes, including libraries, laboratories and facilities for athletics, recreation and physical education, and research facilities, including the acquisition of land; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either

the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Also:

By Messrs. Fite, Hill, Drake, McCluskey, Smith (P), Robertson, Naramore, Carnes, Snell, Wynot, Coshatt, Grey (D), Goodwin, Casey, Williams, Headley, Bank, Falkenburg, Callahan, Cottingham, O'Daniel, Mims, Agee, Kinsey, Benton, May, Hardin, Collins, Barron, Barkett, McBride, McDonald, Merrill and Burgess:

H. 1345. To authorize Alabama Public School and College Authority to sell and issue one hundred twenty million dollars (\$120,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Also:

By Messrs. Turner, Cottingham, Reynolds, Williams, Carter, Boles and Waldrop:

H. 1612. To authorize Alabama Public School and College Authority to sell and issue \$27,500,000.00 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sales thereof; to make an appropriation and pledge, for the pro rata payment of the principal of and the interest on the said bonds from proceeds of the residue of certain excise taxes to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, the moneys so appropriated and pledged, and will not create a debt or obligation of the limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be

exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivision, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instrument; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1318, 1345 and 1612. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Nettles, Stokes, Wood, Perloff, Therrell, Collins and Roberts:

H. 1192. To prohibit the State Committee of Public Health from closing or denying a health permit to certain food handling establishments in all counties with a population of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Also:

By Mr. McDonald:

H. 1454. To authorize savings and loan associations to open, establish, operate, and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent Federal decennial census.

Also:

By Messrs. Robertson and Bank:

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

Be It Enacted by the Legislature of Alabama:

SECTION 1. For the purpose of promoting industry and trade and to assist the county commission or other like governing bodies in Tuscaloosa County in their pursuits therefor, there is hereby created an Industrial Development Authority for Tuscaloosa County which shall be composed of twenty (20) members. All members of the Authority shall be resident and qualified electors of Tuscaloosa County. Two of the members of the Authority shall be appointed by the probate judge of the county. Two of the members shall be appointed by each of the three members of the county governing body. Seven of the members of the Authority shall be appointed by the city commission of the City of Tuscaloosa from the members of the industrial development board of the City of Tuscaloosa. Three of the members of the Authority shall be appointed by the council of the City of Northport from the members of the industrial development board of the City of Northport. Two of the members of the Authority shall be appointed by the city council of Vance from the members of the industrial development board of Vance. The members appointed by the probate judge shall serve six-year terms concurrent with the term of the probate judge. Other members of the Authority shall serve for terms of four years each concurrent with the terms of the appointing authority. Successors to members of the board shall be appointed in the same manner as the original members are appointed and all members shall serve until their successors are so appointed. Vacancies on the board shall be filled by the appointing authority making the original appointment, but any person appointed to fill a vacancy shall serve only for the unexpired portion of the term.

SECTION 2. The Authority shall hold an organizational meeting within thirty days after the appointment of all its members and shall elect a Chairman and Vice Chairman from among its members. Such officers shall serve for such term as the Authority by rule or regulation may prescribe. After the organizational meeting, the Authority shall meet at the time and place designated in the call. The Chairman or a majority of its members may call a meeting of the Authority, and at least four meetings shall be held annually. The Chairman shall preside at each meeting of the Authority. In his absence, the Vice Chairman shall preside. A majority of the members of the Authority shall constitute a quorum. Members of the Authority shall receive no compensation for their services; but they shall be entitled to reimbursement for their actual and necessary expense incurred in the performance of their official duties.

SECTION 3. Upon the organization of the Industrial Development Authority of Tuscaloosa County said Authority shall be constituted an instrumentality for the exercise of public and essential governmental functions and the exercise of the powers conferred by this act, and the development of the county shall be deemed to be an essential governmental function of the county.

SECTION 4. The Authority may employ a Director, who shall be its chief administrative officer and serve as secretary to the Authority. The Authority shall fix the salary of the Director who shall serve at its pleasure. The Director shall have authority to employ clerical and other assistants subject to the approval of the Authority. The Authority may require the Director to be bonded for the faithful performance of his duties before he enters upon the discharge thereof.

SECTION 5. The Authority or its agents and employees may (a) investigate, study and engage in basic research relative to the natural resources of land, water, minerals, and people in the county and apply its findings in efforts to promote a sound and balanced agricultural, industrial and economic development of the county; (b) cooperate with municipal, regional, state or federal planning or other industrial development authorities; (c) publicize and advertise the industrial, commercial and agricultural resources and opportunities in the county; (d) collect, compile and distribute literature concerning the facilities, advantages and attractions of the county, the educational, historic, recreational and scenic places of interest within the county and the air, water and highway transportation facilities; (e) contract with other agencies, individuals or corporations to promote the purposes of this act, and expressly to contract with any municipality in the county, not having an industrial development board, to act as the development agency for such municipality, and as such agency to exercise all powers granted to municipal development agencies under the general laws of the state; (f) enter upon any land in the county, with consent of the owner, and make examinations and surveys and place and maintain necessary monuments and markings thereon; (g) accept gifts, grants, bequests or devises; (h) acquire land for industrial park development and construct buildings for lease, for industrial development only; and (i) issue bonds and incur debt for the purposes of carrying out the function of industrial development of Tuscaloosa County.

SECTION 6. The Authority may establish and maintain an office at some suitable place within the county, and the cost of securing, furnishing, equipping, lighting, heating and maintaining such office shall be a lawful charge against any funds appropriated for the use of the Authority.

SECTION 7. The county governing body of Tuscaloosa County shall annually, before the end of the county's fiscal year, fix the amount to be expended by the Industrial Development Authority herein created, and shall deposit such amount as it determines to be necessary for the efficient operation of the Authority in a special fund in the county treasury to the credit of said Authority. All other funds otherwise coming into the hands of said Authority shall likewise be deposited in said fund. The ordinary and necessary operating expenses of the Authority, including the expenses of its members and the salaries and expenses of employees of the Authority shall be paid out of Authority funds.

SECTION 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

SECTION 9. All laws or parts of laws in conflict with this act are repealed.

SECTION 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me July 13, 1973.

LA JUNE BURNETT,
Notary Public.

Also:

By Mr. Mathews:

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF COOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Coosa County Commission may, at its discretion, levy a tax in addition to that allowed by law on all persons, firms, and corporations, selling, distributing or delivering to retailers in

Coosa County any malt or brewed beverages (including beer, lager, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) provided the total amount of all such tax levied by the county under this Act or any other provision of law shall not exceed five (5) cents on each twelve (12) fluid ounces or fractional part thereof of such beverages sold or distributed within the county.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. Frank Clayton, Publisher, of the Alexander City Outlook, published bi-weekly at Alexander City, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 23, 1973, and ending with the issue dated June 13, 1973.

J. FRANK CLAYTON.

Subscribed and sworn before me this 14th day of June, 1973.

VONCILLE M. DEAN.

Notary Public

My Commission Expires January 23, 1975.

Also:

By Mr. Coshatt:

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF ST CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Ashville in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Ashville, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said town, all territory now within such corporate limits, and also other territory within St. Clair County, Alabama, described as follows: The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, all of Section 7, Township 14 South, Range 4 East; and the SE $\frac{1}{4}$ of Section 12, Township 14 South, Range 3 East. All the above described lands situated in St. Clair County, Alabama, and being contiguous and adjacent to the present boundary lines of the said Town of Ashville, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Before me, the undersigned authority in and for said County in said State, the day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on June 21, June 28, July 5 and July 12, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me July 30, 1973.

ANNE T. MILAM,
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA PERRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The governing body of incorporated municipalities in Perry County, the governing body of any public hospital in Perry County, and the Perry County Commission or other like governing body of the county, may jointly or severally, establish within the county or within any town or city in the county, an ambulance service for the benefit of the sick, infirm or injured, and may make all needful

rules and regulations for control and management of such service. The above named governing bodies may jointly or severally enter into any agreement or contract with any individuals or company to provide such service, and may appropriate public funds for such purpose.

SECTION 2. The provisions of this Act are cumulative.

SECTION 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not effect the part which remains.

SECTION 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year of 1973.

ALBERT STEWART.

Sworn to and subscribed before me July 16, 1973.

ELIZABETH F. STEWART,
Notary Public.

Also:

By Mr. Reed (T):

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

By Mr. Reed (T):

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA
COUNTY OF MACON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff is hereby authorized to appoint not more than two (2) jailers whose salaries shall not exceed \$400 per month. Such salaries shall be fixed by the Sheriff and shall be payable from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed. Act 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), is hereby specifically repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1973.

NEIL O. DAVIS.

Sworn to and subscribed before me August 2, 1973.

ALICE M. WHITE,
Notary Public.

Also:

By Mr. Casey:

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CLEBURNE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 114, H. 333, Regular Session 1967 (Acts 1967, p. 452), which relates to providing compensation and al-

lowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), is hereby amended to read as follows:

"Section 1. Each member of the governing body of Cleburne County in addition to their present salary of \$150 per month shall be entitled to receive an expense allowance of three hundred fifty dollars (\$350) per month. Such salary and allowance shall be the entire compensation of each such officer for the performance of the duties of his office. And the chairman of the county commission, board of revenue or other like governing body of Cleburne County shall not receive any salary for his services as chairman of said governing body but shall receive \$200 each three months as an expense allowance. Such salaries and allowances shall be paid out of any funds in the county treasury available for such payments according to law."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the Cleburne News Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, April 26, May 3, and May 10, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON.
Notary Public.

Also:

By Mr. Casey:

H. 1871. Relating to Cleburne County to provide for the payment of a clerk hire allowance in the probate judge's office.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLEBURNE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County to provide for the payment of a clerk hire allowance in the probate judge's office.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Cleburne County is hereby authorized to pay to the probate judge of Cleburne County a clerk hire allowance not to exceed \$15,000 per annum, said sum to be paid out of the general fund of the county.

Section 2. All laws or parts of laws which conflict with act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective on September 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ann Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the Cleburne News Era, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, April 26, May 3, and May 10, all in the year 1973.

ANN SMITH.

Sworn to and subscribed before me June 30, 1973.

JULIAN B. NORTON.
Notary Public.

Also:

By Mr. Edwards:

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS
A BILL
TO BE ENTITLED
AN ACT

To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Autauga County is authorized, when the need exist, to provide protection against forest fires in Autauga County by participating in the Alabama Forestry Commission's fire protection program in the the manner hereinafter specified.

Section 2. (a) After the Autauga County Governing body has determined that such a need does exist in Autauga County, the county governing body may, in the manner hereinafter specified, provide for a financial charge or tax of five cents per acre to be paid by the owners of forest lands located in Autauga County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program.

(b) "Forest lands" as used in this Act shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The needs for such a financial charge or tax to provide forest fire protection within the county shall be determined by the county governing body after a public hearing is held thereon. Notice of such public hearing shall be given by the county governing body for a period of two consecutive weeks by advertisement in a newspaper of general circulation in Autauga County. Such advertisement must indicate the date, time, and place of the hearing, the manner proposed to finance such fire protection program, and the part of the cost of such program that is proposed to be paid by the owners of forest lands. Any person owning forest land in Autauga County may appear in person or by attorney at such time and place and make defense against such financial charge or tax or the amount thereof. After such hearing the county governing body shall determine the amount thereof. After such hearing the county governing body shall determine the amount of such financial charge or tax and enter on the minutes of the governing body an order fixing such financial charge or tax.

Section 4. Any such financial charge or tax fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owners of the forest lands, as herein defined, shall make report of same to the tax assessor of Autauga County at the time fixed by law for making return of the property of such property owner. Financial charges or taxes levied shall constitute a lien on the property against which they are charged or taxed in case of default in the payment of such financial charge or tax the land may be sold in the same manner and under the same conditions

that lands are sold for the satisfaction of liens for county ad valorem taxes and redemption from such sale may be effected in the same manner as is provided by law for redemption where land is sold for non payment of ad valorem taxes.

Section 5. The county governing body of Autauga County is authorized to appoint agents and delegate authority to individuals to search out forest lands in Autauga County, determine the area and owners thereof, and report same to the Tax Assessor of Autauga County who shall be authorized after notice by certified mail to such owners, and hearing before the county governing body if so requested by such owners, to place said financial charge or tax against said forest lands as may be determined by the report of such agents or the determination of said county governing body.

Section 6. The tax herein imposed shall be due and payable quarterly to the state department of revenue, and shall, when collected, be paid by such department into the state treasury, and accredited to Autauga County. All monies collected in accordance with this Act shall be spent in participating in the Alabama Forestry Commission's forest fire protection program in Autauga County.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, 12, and 19, all in the year 1973.

NORMAN E. RIDENHOUR

Sworn to and subscribed before me this 31st day of July, 1973.

LINDA M. TRAYWICK,
Notary Public

My Commission expires Jan. 6, 1976

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 1880. To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF ETOWAH

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deard W. Thomas an employee of the county until his accidental death on February 16, 1972.

Be It Enacted by the Legislature of Alabama:

Section 1. The Etowah County Commission is hereby authorized and empowered to appropriate the sum of \$4,000.00 from the general fund of the county to Mrs. Carolyn D. Thomas, widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972. This payment is in lieu of proceeds from non-contributory group life insurance which the county provides for all its employees but had inadvertently omitted including this employee under the group life insurance policy. Under these circumstances the county is morally obligated to pay, but the claimant has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon it otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv.-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me August 6, 1973.

LEO DRISKELL,
Notary Public.

My commission expires May 16, 1976.

Also:

By Mr. Grey (D):

H. 1882. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

Also:

By Mr. Cross:

H. 1889. To provide for the semi-annual publication by the governing body of Lawrence County of an itemized account of all receipts and expenditures of said Lawrence County, and to provide penalty for failure to observe this law.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit;

A BILL
TO BE ENTITLED
AN ACT

To provide for the semi-annual publication by the governing body of Lawrence County of an itemized account of all receipts and expenditures of said Lawrence County and to provide penalty for failure to observe this law.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lawrence County is hereby required to publish semi-annually each year in some newspaper published in said county to be designated by a majority of the said governing body an itemized statement of all receipts and expenditures of the general fund of said Lawrence County. Any expenditures of less than Twenty Dollars (\$20.00) shall be published as miscellaneous expenses on said semi-annual report. In addition the salaries of all county employees may be published on such semi-annual statement as a six month total of salaries.

Section 2. On conviction for failure to make such semi-annual publications each member of such governing body of the county shall be fined not less than Two Hundred Dollars nor more than Three Hundred Dollars, with each failure to publish such semi-annual report constituting a separate offense.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, August 2, and August 9, 1973.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 9, 1973.

LE RUTH G. SLATON,
Notary Public.

Also:

By Mr. Stubbs:

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "An Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation."

Also:

By Mr. Turnham:

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Be It Enacted by the Legislature of Alabama:

Section 1. JURISDICTION.

There is hereby established a Small Claims Division of the Court of Common Pleas of Lee County. This division of this Court shall be presided over by the Judge of said Court. The Small Claims Division of said Court shall be responsible for the disposition of all claims in amounts not exceeding \$250.00. The judge or clerk or his deputy shall be authorized to issue summons and complaints, and all appropriate writs to commence a suit, and in addition to issue process of garnishment, writs of detinue and attachment, after judgement, or as provided by law.

Section 2. SERVICE OF PROCESS.

Personal service of process shall be executed by any lawful officer or constable, and the fees and mileage provided by law for service of process in the circuit courts shall be charged and paid to said constable. Service of any process in the Small Claims Division is effected on the person to be served by delivering to him a copy thereof with a copy of the complaint or other initial pleading, or by leaving such copies at either his usual place of abode or place of employment with some person of the family above 15 years of age or in charge of such place of employ-

ment, and in either event informing such person of their contents. In the alternative, process may be made by certified mail, addressed to the defendant's proper mailing address. In the event the defendant shows to the satisfaction of the Court that he was not properly served and did not know of the existence of such suit before judgment was entered against him, and also shows to the satisfaction of the Court that he has a good defense to the claim, in whole or in part, the Court shall set aside any judgment by default and allow the defendant to interpose his defense; but, it shall not be necessary to reserve the defendant. After service of process has been executed and perfected on the defendant was required by law, the defendant shall appear and answer thereto within five days, and the process shall so recite.

Section 3. COURT COSTS.

The filing fee for claims of amounts not exceeding \$50.00 shall be \$5.00. The filing fee for claims for amounts not exceeding \$100.00 shall be \$10.00. The filing fee for claims for amounts in excess of \$100.00 shall be \$15.00. Such filing fees shall be paid in advance by the plaintiff and reimbursed to him if collected from the defendant. No other costs or charges except for service of process shall be assessed the plaintiff or claimant in the Small Claims Division; but costs for other papers or writs filed shall be set by a schedule of costs to be fixed by the Judge.

Section 4. PROCEDURES AND FORMS.

The procedures and forms of the Small Claims Division shall be prescribed by the Judge of the Court, and the Clerk or his deputy shall assist the plaintiff in the preparation thereof upon request. The Clerk shall have authority to enter judgments by default, and by consent of the parties to hear and decide controversies and cases in the small claims division; but any party may request that his case be tried before the Judge of the Court of Common Pleas.

5. COMPENSATION.

The county governing shall have authority to compensate the Judge and Clerk for the additional duties imposed upon them, respectively by this Act.

Section 6. SEVERABILITY.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. EFFECTIVE DATE.

This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
LEE COUNTY.

Before me, the undersigned authority in and for said county in said state, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the OPELIKA-AUBURN DAILY NEWS, a newspaper of general circulation, published in Lee County, State of Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Ala-

bama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 6, all in the year 1973.

MILLARD B. GRIMES,
Publisher.

Sworn to and subscribed before me on this the 7th day of August, 1973.

C. C. TORBERT, JR.,
Notary Public, State of Alabama.

My Commission Expires August 10, 1974.

Also:

By Messrs. McDonald, St. John and Drake:

H. 1915. Relating to Marshall County; to authorize and permit grocery stores to remain open on Sunday provided any such grocery store does not have on duty in such stores more than three employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County; to authorize and permit grocery stores to remain open on Sunday provided any such grocery store does not have on duty in such stores more than three employees at any one time on Sunday and to provide for licensing such grocery stores by the license issuing officer of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. It is the finding and policy of the Legislature that the maintenance of the public health is of vital importance to the general welfare of the State and its people. This is particularly true where there are large concentrations of population. For the protection of the public health and general welfare it is deemed essential that one day be set aside each week as a day of rest and relaxation in this county. This can best be accomplished and the enforcement thereof can best be policed by setting aside Sunday which is generally recognized and observed as a day of rest. Section 420 Title 14—Code of Alabama, 1940, as amended, has made unlawful the general performance of labor and other activities on Sunday and has provided penalties for the violation thereof subject to certain enumerated exceptions which are deemed by the Legislature to be reasonable and necessary. The Legislature further finds and declares that in order to enjoy such a day of rest and relaxation that the public should be given the right as an additional exception to said Section 420 to purchase on Sunday goods usually and normally

sold in grocery stores subject to reasonable restrictions on the number of employees that may be employed in such stores selling such goods on Sunday. It is further the finding of the Legislature that a reasonable restriction on the number of employees would be to permit to remain open on Sunday for the sale of such goods only those stores that have no more than three employees on duty at any one time on Sunday. The Legislature further finds that there is a public necessity for the purchase on Sunday of merchandise usually and normally sold in grocery stores and that this necessity must be met but that reasonable restrictions as set out above should be placed thereon.

Section 2. It shall be lawful for any grocery store in Marshall County to remain open on Sunday providing that such grocery store does not have on duty in such store more than three employees at any one time on Sunday; provided that each such grocery store shall first obtain a special license to operate on Sunday from the license issuing officer of such county. The license issuing officer of such county shall issue a license only to such individual grocery stores or outlets as shall pay a license fee of \$25.00 and only to such individual grocery stores or outlets in each community as are determined to be required by the public convenience and necessity. All license fees shall be paid into the general fund of such county.

Section 3. All parts of general or local laws in conflict herewith are hereby repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edwin H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1973.

EDWIN H. REED.

Sworn to and subscribed before me August 6, 1973.

WILLENE M. CLARK,
Notary Public.

Also:

By Mr. Turnham:

H. 1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

By Messrs. Crowe and Naramore:

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunch-room employees of boards of education of such counties.

Also:

By Messrs. Crowe and Naramore:

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an employee of the State of Alabama prior to such membership.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1192, 1454, 1555, 1704, 1826, 1859, 1862, 1863, 1870, 1871, 1875, 1880, 1882, 1889, 1892, 1900, 1915, 1904, 1910 and 1911. To the Committee on Local Legislation No. 1.

FURTHER CONSIDERATION OF H. B. 245

The Senate proceeded to further consideration of the Bill, H. B. 245.

The question was on the motion of Mr. Baker that the Senate reconsider the vote by which the Bill, H. B. 245, was passed.

ADJOURNMENT

Mr. Fine moved that the Senate adjourn until Wednesday, August 15, 1973, at 3 o'clock P. M.

Mr. Lindsey moved as a substitute motion that the Senate adjourn until Thursday, August 16, 1973, at 9 o'clock A. M., which motion was adopted, and at 4:50 P. M., pending further consideration of the Bill, H. B. 245, the Senate adjourned until Thursday, August 16, 1973, at 9 o'clock A. M.

Yeas 19; Nays 15.

Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon
Branyon	Foshee	Horne	Register
Clark	Gilmore	Lindsey	Shelby
Cook	Givhan	Littleton	Vacca
Dominick	Harris	Noonan	Wilson

—19

Nays:

Messrs.:	Fine	McLain	Pelham
Bailes	Jones	Ma'one	Pierce
Baker	King	Melton	Weaver
Carr	Lybrand	Owen	Wilder

—15

THIRTIETH LEGISLATIVE DAY

THURSDAY, AUGUST 16, 1973

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend James E. Jones, Minister, Eastern Hills Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-Ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Ninth Legislative Day was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe, Jackson, Lyons, Bank, Downing, Chesnut, Casey, Flippo, Grey (D), Goodwin, Connell, Barkett, Callahan, Snell, Adams, Parker, St. John, Drake, Owens, Lang, Stewart, Roberts, Collins, Therrell, Hardin, May, Kinsey, Benton, Wise, Jones (F), Waggoner, Cross, Porter, Williams, Bassett, Carnes, Wynot, Coshatt and Reid (R):

H. 1591. To establish a system of regulation and control of coal surface mining and reclamation, a declaration of public policy and legislative intent, the creation and establishing of the Alabama Surface Mining and Reclamation Commission with powers and authority, establishes necessity of licenses and permits with a right to surface mine and proper application therefor, requires a conservation and reclamation plan and map, and blasting regulations, sets application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit, provides for confidentiality of certain records, violations, administrative procedures, appeals from orders of the Commission, legal remedies, enforcement proceedings, nonapplicability and penalties, establishes the Alabama Surface Mining and Reclamation Fund, provides for citizens' suits, saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeal of the Surface Mining Act of 1969 (Act 399 Regular Session) as to regulation of coal surface mining only.

Also:

By Mr. Mathews:

H. 1023. To further identify creditable years of service under the Employees' Retirement System of Alabama, and Teachers' Retirement System of Alabama.

Also:

By Messrs. Doss, McMillan, Wallace, Timmons, Hughes, Erdreich, Dill, Gafford, Boutwell, Adwell, Falkenburg, Waggoner, Meeks, Weeks, Ellis, Bowers, Boles, Grainger, Callahan and Easters:

H. 1571. To make a conditional appropriation for Capital Outlay purposes at the University of Alabama in Birmingham for the 1974-75 biennium.

Also:

By Mr. Benton:

H. 1652. Relating to the Twenty-eighth Judicial Circuit; providing for an additional circuit judge in such circuit.

Also:

By Messrs. Kinsey and Benton:

H. 1594. To further amend Section 8 of Act No. 344, H. 301, 1955 Regular Session of the Alabama Legislature (Acts of 1955, p. 780), as amended, which Act relates to the Fort Morgan Historical Commission, so as to provide further for the expenditure of certain funds received by said commission.

Also:

By Messrs. Kinsey, Benton, Therrell, Downing, Callahan, Wood, Stokes, Roberts, Perloff, Lyons, Nettles and Collins:

H. 389. To amend section 2 of Act No. 419, H. 459, Special Session of the Alabama Legislature of 1966 (Acts 1966, p. 564) entitled "To exempt fuel and supplies used aboard commercial fishing vessels from sales and use taxes"; so as to redefine the term "commercial fishing vessels."

Also:

By Messrs. Harris, Barron, Hobbie and Jones (F):

H. 1682. To transfer the historic property known as the Powder Magazine owned by the Finance Department of the State of Alabama to the City of Montgomery.

Also:

By Messrs. Turner, Merrill, Cottingham, Lyons, McCorquodale, Agee, St. John, Warren, Harris, Hardin, Edwards, Stubbs, Slate, Parker, Ellis, Grainger, Pruitt, Adwell, Downing, Stokes, Wynot, Carnes, Coshatt, Reid (R), Grey (D), Reynolds, Cauthen, Goodwin, Chesnut, Flippo, Collins, Therrell, May, Benton, Jackson, Owens, Naramore, Crawford, Snell, Barkett, Mims, Lutz, King and Bank:

H. 1873. To provide for reapportionment of the two houses of the Legislature of Alabama, so as to provide for single member districts in both the house and the senate, and for the purpose of facilitating the equitable apportionment of representation therein, to create and establish additional wards or voting boxes by subdividing some beats or voting precincts or further subdividing some wards and boxes in certain counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

- H. B. 1591. To the Committee on Health.
- H. B.'s 1023 and 1652. To the Committee on Judiciary.
- H. B. 1571. To the Committee on Finance and Taxation.
- H. B. 1594. To the Committee on Conservation.
- H. B. 389. To the Committee on Seaports.
- H. B. 1682. To the Committee on Public Buildings and Grounds.
- H. B. 1873. To the Committee on Constitution and Elections.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such

dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1909. Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the Clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the Clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of Register in Chancery of the 23rd Judicial Circuit of Alabama is hereby abolished and all duties and functions of said office, as heretofore provided by law, or as may hereafter be provided by general law for Registers in Chancery, are transferred to the Circuit Court Clerk of said circuit; it being the intent of this Act to grant and convey to said Clerk all the powers, authority, immunities, privileges and duties heretofore held and exercised by the said Register in addition to said Clerk's regular duties and functions provided by law. In assuming such authority and duties said Circuit Court Clerk shall collect and lawfully disperse all fees herefore or hereafter provided by law to be collected and distributed by Registers of Circuit Courts. All files,

papers, documents and equipment of the said Register shall be delivered to custody of said Clerk. All outstanding accounts receivable by the Register in Chancery aforesaid are hereafter to be collected and disbursed by the said Clerk as heretofore provided by law for the Register and as if collected and dispersed by said Register.

Section 2. The aforesaid Circuit Court Clerk shall appoint the person now serving as Register of the 23rd Judicial Circuit as a Deputy Circuit Court Clerk. Said person shall serve as Deputy Circuit Court Clerk and shall be compensated from the General Funds of Madison County under the provisions of the Madison County Personnel Act, provided that the compensation of said person shall be no less than the annual compensation being received at the date of passage of this act, and provided further that the person so appointed shall have the same rights of tenure, if any, which he or she has upon the effective date of this Act. Upon the death, resignation or removal from office of such deputy clerk, said office shall be eliminated and abolished. The Circuit Clerk shall also appoint the administrative or clerical personnel serving in the office of the Register of the Twenty-third Judicial Circuit on the effective date of this Act to serve in like capacities in the office of the Circuit Court Clerk, and such personnel shall be compensated and subject to the provisions of the Madison County Personnel Act.

Section 3. The office of Clerk of the Madison County Court and Clerk of any court successor to the jurisdiction of the Madison County Court is hereby abolished. The Clerk of the Circuit Court, 23rd Judicial Circuit shall be ex-officio clerk of the Madison County Court or of any court succeeding to the jurisdiction of the Madison County Court. As such ex-officio Clerk, the said Clerk shall have the same powers and discharge the same duties as devolve upon the Clerk of the Madison County Court. These duties and powers shall be exercised and discharged in addition to those duties and powers heretofore or hereafter provided for Circuit Court Clerks. As such ex-officio Clerk of the County Court or the successor to its jurisdiction, the said Clerk shall collect and lawfully disperse all fees heretofore or hereafter provided by law to be collected and dispersed by County Court Clerks or by the Clerk of the Madison County Court or any court successor to its jurisdiction. All files, papers, documents and equipment of the Clerk of the Madison County Court shall be delivered to the custody of the Clerk of the Circuit Court of said circuit. All outstanding accounts receivable by the Clerk of the Madison County Court or by the Clerk of any court successor to its jurisdiction are hereafter to be collected and dispersed by said Circuit Clerk as heretofore provided by law for the Clerk of the County Court as if collected and dispersed by the Clerk of the Madison County Court.

Section 4. The Clerk of the 23rd Judicial Circuit shall appoint the person now serving as Clerk of the Madison County Court as a Deputy Circuit Court Clerk. Said person shall serve as a Deputy Circuit Court Clerk under the provisions of the Madison County Personnel Act, provided that the compensation of said person shall be no less than the annual compensation being received at the date of passage of this Act. Upon the death, resignation or removal from office of such deputy clerk, said office shall be eliminated and abolished. The Circuit Court Clerk shall also appoint administrative or clerical personnel serving in the Madison County Court or any successor court on the effective date of this Act in like capacities. Such personnel shall be compensated under the provisions of the Madison County Personnel Act.

Section 5. The Clerk of the 23rd Judicial Circuit shall, subject to the approval of the presiding judge of the Twenty-third Judicial Circuit, appoint, subject to the provisions of the Madison County Personnel Act,

a Court Administrator who shall be a Deputy Circuit Court Clerk. In addition to the other duties which may be imposed upon him by the Circuit Court Clerk, said Court Administrator shall have the following duties:

(1) He shall work with the circuit court clerk and with the judges of the Twenty-third Judicial Circuit and the Madison County Court, or any successor court, to compile, obtain and digest information concerning the administration of justice in the Twenty-third Judicial Circuit.

(2) He shall serve as the agency to apply for and receive any grants or other assistance and to coordinate and conduct studies and projects in connection with the improvement of the administration of justice in the Twenty-third Judicial Circuit.

(3) He shall carry on or assist in programs designated to aid in the continuing legal and judicial education of judges, clerks, and other court personnel.

(4) He shall prepare and administer the court's budget, fiscal, accounting, and procurement.

(5) He shall administer the space available to the court, maintain it, and assist in planning new space at renovation.

(6) He shall assist the judges in the Twenty-third Judicial Circuit and in Madison County in gathering information needed in the management of any pre-trial release program in operation in Madison County.

(7) He shall establish procedures for the management of the jury system.

(8) He shall prepare and submit to the court at least annually, a report of the activities and the state of business of the court. This document shall be published by the court and shall include a description of innovations and modifications introduced to improve the court.

(9) He shall supervise and administer a system for the appointment of counsel for indigent criminal defendants.

(10) He shall perform such other duties as may be established by court rules.

Section 6. The three Deputy Circuit Court Clerks herein provided for shall work under the supervision of the Circuit Court Clerk.

Section 7. The purposes of this Act are to effect efficiency and economy in the operation of the courts of Madison County, but it is the will of the Legislature that this Act be implemented in a spirit of understanding and compassion for the capable and loyal personnel now serving in the offices of Circuit Court Clerk, Register in Chancery and the Madison County Court or any successor court and that this Act shall not require any reduction in force in the personnel performing the functions now performed by those offices except through the normal process of attrition. It is, however, the further intention of the Legislature that this Act be utilized to reduce duplication of effort whenever possible.

Section 8. The Clerk of the 23rd Judicial Circuit of Alabama shall receive an annual salary of Twenty thousand dollars (\$20,000.00) to be paid in equal monthly installments from the General Fund of Madison County.

Section 9. The provisions of this Act are severable and the declaration of any part as unconstitutional or invalid shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 19, 26, August 2 and 6, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 6th day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. McNair, McMillan, Doss, Waggoner, Erdreich, Wallace, Falkenburg, Boutwell, Hughes, Boles, Bowers, McBride, Weeks, Dill and Meeks:

H. 1828. To prohibit, in any county having a population of 600,000 or more according to the most recent federal decennial census, the occupancy of any building or structure any part of which is situated upon real property which abuts or joins that part of a street, alley, public way or right of way within which is situated pipes or mains of an approved public water supply system and which is not directly connected to water mains or pipes of an approved public water supply system; and to prohibit, in such counties, the sale or distribution of insanitary, impure or unwholesome water.

Also:

By Mr. Dill:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

By Messrs. McDonald, St. John and Drake:

H. 1916. To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

Section 1. A Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County, hereinafter referred to as Clerk, and of the office of the Register of the Circuit Court of Marshall County, hereinafter referred to as Register, is hereby created. That said Commission shall consist of five members, who shall serve without compensation and who shall be the two senior Circuit Judges of the Circuit Court of Marshall County, the senior Judge of the highest court in Marshall County other than the Circuit Court or the Probate Court of Marshall County, the Chairman of the Marshall County Commission and one other member of the Marshall County Commission, to be selected by such Marshall County Commission by majority vote. That said Commission shall have a chairman, who shall be selected by majority vote of the Commission. Three members of such Commission shall constitute a majority when properly convened, and said Commission by reason of such majority may exercise all the powers and duties herein provided. Said Commission shall meet on the Friday after Labor Day of each year at 3:00 p.m., and at such other times as may be necessary. The Chairman of said Commission or any three members of said Commission may call an official meeting at a specific time and at a designated place at either of the courthouses in Marshall County, and shall give notice to the other members of the time, place and purpose of any such meeting and may exercise any of its powers or duties as herein conferred at any such annual or special meeting. That in the event any official designated to be a member of said Commission is ineligible or fails or refuses to serve for any reason, then, such official shall appoint a qualified elector of Marshall County of good character to serve on the Commission in his stead, and shall notify the Marshall County Commission, in writing, of his reason for not serving and the name and address of the person who shall serve on the Commission in his stead. The Chairman of the Commission shall appoint a secretary of said Commission, who may or may not be a member thereof and who shall keep minutes and appropriate records of all meetings and of all official acts of the Commission.

Section 2. That said Commission shall have the power and duty to determine the number of employees of the office of the Register and the number of employees of the office of the Clerk, the total

compensation of the employees of the office of the Clerk, and the total compensation of the employees of the office of the Register. That on or before the annual meeting of said Commission the Clerk and the Register shall submit to said Commission a report designating the number of employees needed to carry out the work and duties of their respective offices and the proposed compensation for each such employee, and upon a special meeting of such Commission the Clerk and the Register shall furnish such information or make such reports as the needs of their respective offices shall then require. By majority vote, said Commission shall determine the number of employees needed by the Clerk and by the Register and the total compensation to be paid to the employees of the Clerk and to the employees of the Register. Said Commission shall, then, prepare a report to be signed by the Chairman or by three members of such Commission, specifying the number of employees for each of said offices and the total compensation of each of said offices for the employees of such offices and such report shall then be delivered to the Marshall County Commission, and the Clerk and the Register shall deliver a report to the Marshall County Commission designating the names of the employees that they desire to employ or who are then employed, and the salary for each such person, and that such salaries shall not exceed the total compensation allowed by the Commission for such offices.

Section 3. The Clerk and the Register shall retain the full authority and right to designate who the employees in their respective offices shall be and any such employee shall serve at the will or the pleasure of said Clerk or Register, and any vacancy shall be filled by the said Clerk or Register. That the Clerk or the Register shall notify the Marshall County Commission when any vacancy occurs, and when such vacancy has been filled, and the names of the employees and the salaries involved. The Clerk or the Register may, at their will, change any employee or their salary in their respective offices, but the total compensation may not exceed that as fixed by the Commission for such office. Nothing herein shall be construed as giving said Commission the power or authority to manage either the Clerk's office or the Register's office or to select the employees or to determine the specific duties of employment of any employee. The total of compensation and the number of employees of either the Clerk's office or the Register's office may be changed by such Commission from time to time as the needs of said offices may require. The total compensation of each office shall be determined on an annual basis, with the fiscal year being from October 1 through September 30, and if any change is made therein after the annual meeting such change shall be effective for the balance of the fiscal year in which such change is made. The Salary Commission's first meeting shall be on the Friday after Labor Day of 1973, and it shall fix and determine employees and salary of the office of the Clerk and the office of the Register, respectively, as herein provided, for the fiscal year commencing October 1, 1973, and for subsequent years.

Section 4. The Marshall County Commission shall pay the said employees of the Clerk and the Register as provided herein, in the same form and manner as other employees of the county are paid.

Section 5. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28 and July 5, all in the year 1973.

EWELL H. REED.

Sworn to and subscribed before me July 25, 1973.

MARTHA JANE SAYLOR,
Notary Public

Also:

By Mr. Robertson:

H. 1556. To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given, pursuant to Section 106 of the Constitution of Alabama 1901, that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as heretofore amended, is hereby amended further to read as follows:

"Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the following respective meanings:

"The words 'the state' mean the State of Alabama.

"The words 'the county' mean Tuscaloosa County in the state.

"The words 'the city' mean the City of Tuscaloosa in the state.

"The words 'the county board of education' mean the board of education of Tuscaloosa County, Alabama.

"The words 'the city board of education' mean the board of education of the City of Tuscaloosa, Alabama.

"The words 'the hospital boards' mean the Druid City Hospital Board created by Act No. 540 adopted at the 1947 Regular Session of the Legislature of Alabama, approved October 8, 1947, and the Northport Medical Clinic Board, established for the Peoples Hospital, Inc.

"The words 'the tax board' mean the Tuscaloosa County Special Tax Board created in Section 9 of this Act.

"The words 'state sales tax statutes' mean the provisions of Act No. 100, adopted at the Special Session of the Legislature of Alabama which convened on June 24, 1959, as amended and supplemented before March 2, 1967.

"The words 'state use tax statutes' mean the provisions of Article 11 of Chapter 20, Title 51, Code of Alabama of 1941, as amended and supplemented before March 2, 1967.

"The words 'quarterly period' mean each period of three calendar months commencing on each January 1, April 1, July 1, and October 1.

"Pronouns include all genders.

"Those of the words and phrases used in Section 3 of this act that are defined in the state sales tax statutes shall have the meanings respectively given them in the state sales tax statutes. Those of the words and phrases used in Section 4 of this act that are defined in the state use tax statutes shall have the meaning respectively given them in the state use tax statutes."

Section 2. Section 11 of Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as heretofore amended, is hereby further amended to read as follows:

"Section 11. Disposition of Revenues. Any and all expenses including (but without limitation to) salaries, office rent, and other expenses that may be necessary to provide for the collection and distribution of the taxes herein levied as may be authorized or approved by the tax board, shall be deducted by the tax board and paid out of the proceeds from said collections before any distribution of said proceeds. After deduction of said expenses, the tax board shall distribute the remaining proceeds from the said taxes as follows:

"(a) Thirty-two and one-half per cent (32½%) of said proceeds remaining shall be paid to the City of Tuscaloosa for general municipal purposes;

"(b) Five per cent (5%) of said proceeds remaining shall be paid to the City of Northport for general municipal purposes;

"(c) Twelve and one-half per cent (12½%) of said proceeds remaining shall be paid to Tuscaloosa County for general county purposes;

"(d) Ten per cent (10%) of said proceeds remaining shall be paid to the hospital boards, prorated between them in direct proportion to the number of beds, excluding those used for psychiatric care, in the hospital facilities operated thereby. The hospital boards shall use the said proceeds solely to defray all or a part of the costs of any hospital operated by the hospital boards for hospital services furnished to charity patients who are residents of the county, including any municipality therein;

"(e) Twenty per cent (20%) of said proceeds remaining shall be paid to the county board of education, which shall use said proceeds solely for public school purposes in the county, including (but without limitation to) payment of any warrants, notes and other obligations of the county board of education which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or Constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such buildings and acquiring sites therefor;

"(f) Twenty per cent (20%) of said proceeds remaining shall be paid to the city which shall use said proceeds solely for public school purposes in the city, including (but without limitation to) payment of any bonds, warrants, notes and other obligations of the city which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such building and acquiring sites therefor.

The proceeds for which distribution is provided in subsections (a), (b), (c), (d), (e), and (f), of this section shall be paid over to the beneficiaries thereof, respectively, on or before the tenth day of the calendar month next succeeding the calendar month in which said proceeds shall have been received by the tax board. The tax board is hereby authorized to retain on hand at all times as a revolving or contingent fund for payment of its expenses, as provided for in Section 9 (c) of this act, such amount of said tax proceeds as it deems expedient; provided, that as disbursements are made from said revolving or contingent fund the tax board shall have the power, immediately or at such times as it deems convenient, to restore the moneys so disbursed out of the proceeds from the taxes herein levied; and provided, further that the said revolving or contingent fund shall not at any time exceed ten per cent (10%) of the collections made under this act during the then preceding calendar month.

Section 3. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me July 12, 1973.

LaJUNE BURNETT
Notary Public.

Also:

By Messrs. Robertson, Burgess, Lyons, Wynot, Culver, Cottingham, Banks, McBride, Crowe, Hearn, Williams, Gafford, Boutwell, Bowers, Therrell, Adwell, Grainger, Lang, Coshatt, Casey, O'Daniel, Crawford, Easters, Pruitt, Manley, Carter, Cross, Reynolds, Porter, Chesnut, Connell, Goodwin, Cauthen, Weeks, Hale, Turnham, St. John, McCorquodale, Wise, Wallace, Merrill, Adams, Waggoner, Callahan, Mims, Nettles, Downing, Hardin, Barkett, Bassett, Stokes, Dill, Timmons, Naramore, Boles, Hughes, Meeks, Headley, Stubbs and Mathews:

H. 1304. To provide for a sentence of death or life imprisonment without parole in certain aggravated offenses; to prescribe the manner of charging and sentencing in such cases and to eliminate lesser included offenses in such cases; to limit the maximum punishment in all other cases to life imprisonment; to provide for an effective date of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1909, 1916 and 1556. To the Committee on Local Legislation No. 1.

H. B.'s 1828 and 1901. To the Committee on Local Legislation No. 2.

H. B. 1304. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hill, Lyons, Turner, Flippo, Hearn, Hale and Jones (F):

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the appointment of a State Youth Services Director, and to prescribe the powers, duties and qualifications of the said Director; to transfer control of the state training schools to the department; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violation of this Act.

Also:

By Messrs. Drake and St. John:

H. 176. To amend the title and Sections 1 and 4 of Act No. 1134,

S. 519, Regular Session 1969 (Acts 1969, p. 2099), which act provides for certain school lunchroom managers and assistant managers to become members of the Teachers' Retirement System of Alabama and to receive the benefits therefrom, subject to certain conditions, and which appropriates certain funds to carry out the provisions of said act; so as to include all regularly employed workers in school lunchrooms within the provisions of said act, and to provide an additional appropriation for the purposes of carrying out the provisions of this act.

Also:

By Messrs. Drake, McDonald, St. John, Carter and Smith (P):

H. 1702. To amend Sections 10, 12, 15, 21 and 23 of Act No. 351, H. 285, Regular Session 1963 (Acts 1963, p. 844) to provide an alternate method of collecting assessments for the promotion of the production, marketing and use of eggs and poultry products.

Also:

By Mr. Stubbs:

H. 2. To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

Also:

By Mr. Turnham:

H. 1558. To authorize the Alabama Public School and College Authority to sell and issue \$5,475,000 aggregate principal amount of additional bonds for capital improvements for Auburn University, and more particularly to modernize the Agricultural Experiment Station by relocating and developing modern new field research facilities for the Main Station and certain facilities at certain outlying stations, to provide a base for a major expansion in agriculture and forestry; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 756, 176, 2 and 1558. To the Committee on Finance and Taxation.

H. B. 1702. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and sends same herewith to the Senate:

S. 646. To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and proceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court. METHOD OF TRANSFER:

Also:

S. 648. To authorize and provide for the establishment, maintenance, operation, and financing of a Public Law Library in Marshall County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel.

Also:

S. 649. Relating to Marshall County; to provide for the payment to the Judge of the County Court for expenses of attending seminars, conferences, schools and payment of dues for memberships in County Judge's Organizations.

Also:

S. 650. Relating to Marshall County: The Circuit Judges of the 27th Judicial Circuit are authorized to appoint not more than two (2) attorneys licensed to practice law in Alabama and are members of the Marshall County Bar Association as Warrant Issuing Magistrates with authority to issue warrants, search warrants and writs of arrest for Marshall County and to provide for their compensation.

Also:

S. 651. To authorize the Circuit Judges of the Circuit Court of Marshall County to appoint bailiffs and to provide for compensation of such bailiffs, to further define duties of bailiff and to authorize the use of such bailiffs by the Judge of the County Court of Marshall County.

Also:

S. 659. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Also:

S. 660. To provide for monthly compensation of the Chairman and Board members of the Rainbow City Gas, Water, and Sewer Board, in Etowah County.

Also:

S. 604. To further amend Sections 1 and 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, p. 1074), as amended, which authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant so as to provide further for additional assistants to the circuit clerk and provide for their compensation.

Also:

S. 661. Relating to the 14th judicial circuit, providing a secretary for the circuit judge.

Also:

S. 663. Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census.

Also:

S. 665. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

S. 696. Relating to the Fourteenth Judicial Circuit, providing further for the salaries of the court reporters of said circuit.

Also:

S. 714. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

S. 699. To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appoint-

ments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

Also:

S. 744. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Tax Collector and Tax Assessor and to provide for the payment of the same for said officers of such counties.

Also:

S. 765. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body of Choctaw County, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and sends same herewith to the Senate:

S. 468. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect the ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the power to levy and collect each year an additional tax of three-fourths of one per centum based upon the value of the property therein as fixed for state taxation, and the further power to increase in the future the rate at which ad valorem taxes are levied provided that any increase is first approved by an act of the Legislature and by a majority vote of the qualified electors in the City of Mountain Brook.

Also:

S. 645. Relating to Marshall County; to provide for the compensation of the Judge of the County Court of Marshall County, Alabama, to take effect upon the expiration of the term of the incumbent Judge of the County Court.

Also:

S. 533. To authorize the county governing body in any county having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census to create a county development fund.

Also:

S. 534. Relating to all counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census, providing for an expense allowance for members of the county commission.

Also:

S. 541. Relating to all counties with a population of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to provide an additional expense allowance for the coroner of such counties.

Also:

S. 553. Relating to Monroe County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 588. Relating to the DeKalb County Inferior Court; changing the name of this court to DeKalb County District Court.

Also:

S. 589. Relating to DeKalb County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Also:

S. 590. Relating to DeKalb County; to amend Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Also:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

Also:

S. 627. To authorize the governing body of DeKalb County to pay all expenses incurred by the Circuit Court Clerks and Registers in their respective state organizations.

Also:

S. 628. To amend Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657), which Act provides for the compensation of the members and clerk of the jury commission of DeKalb County.

Also:

S. 630. Relating to DeKalb County; fixing the salary of the chief

deputy, deputies and other positions of the sheriff's office and providing the method of paying such salaries; and repealing conflicting laws.

Also:

S. 635. To permit banks now or hereafter situated in Choctaw County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Barkett, Wynot, Connell, Owens, Wise, Easters, Crawford, Ellis, Lutz, Williams, Jones (E), Carter, Cross, Grainger, King, Culver, Snell, Bank, Hearn, Stokes, Naramore, Turnham, Jackson, May, Kinsey, Hale, Lang, Mathews, Casey, Therrell, Cottingham, Dill, Agee, McCorquodale, McDonald, Grey (D), Reid (R), Reynolds, Flippo, Robertson, Chesnut, Smith (P), Nettles, Roberts, Coshatt, Mims, Warren, Jones (F), Taylor, Goodwin, Cauthen, Edwards, Adwell, Smith (K), Hobbie, Brassell, Carnes, Bassett, Benton, Adams, Burgess, Collins, Hardin, Headley and Turner:

H. 990. To amend Section 6 of an Act entitled "An Act to prohibit the giving of worthless checks, drafts or other written orders for money; to give definition of certain words and phrases; to provide a penalty for violation; and to repeal all laws in conflict, especially Title 14, Sections 234 (8), Code of Alabama Recompiled 1958," approved October 1, 1971.

Also:

By Messrs. Turnham, Smith (P), Agee, Brassell, Adams, Snell, Hobbie, Stubbs, Mims, Warren, Crawford and Wynot:

H. 289. To make an appropriation from funds in the State Treasury to the credit of the General Fund for the purpose of constructing and equipping a building to house a livestock and poultry disease diagnostic laboratory and an agricultural chemistry laboratory at Auburn, Alabama for use by the Department of Agriculture and Industries.

Also:

By Mr. Smith (P):

H. 1502. To amend Sections 195 and 199 of Title 2, Code of Alabama of 1940, which relate to the testing of milk or cream for butterfat content or quantity and the testing methods, equipment, devices and containers used for such testing.

Also:

By Messrs. Connell and Crawford:

H. 1670. To designate The Annie Lee Cherry Gymnasium at the George C. Wallace State Technical Junior College.

Also:

By Mr. Ellis:

H. 189. Relating to emergency medical services in hospitals; authorizing the state board of health to establish, promulgate and enforce rules, regulations and minimum standards for the operation of emergency departments in hospitals of this state and to provide for the categorization of hospitals according to the capabilities of such departments; requiring the state highway department to denote on all official highway maps and by the erection of highway markers the location of certain designated hospitals.

Also:

By Messrs. Falkenburg, Erdreich, Jones (E), Dill, Boutwell, McBride, Timmons, Doss, Ellis, Adwell, Gafford, Wallace and Waggoner:

H. 569. To provide for the appointment, duties and compensation of four additional Deputy District Attorneys in judicial circuits composed of one county having a population of 600,000 or more according to the last or any subsequent federal decennial census and to provide when said Act shall go into effect.

Also:

By Messrs. Casey, Taylor, Wood, Manley, Cauthen, Boutwell, Erdreich, Hill and Gray (F):

H. 421. To fix the annual compensation of the chief justice of the supreme court, associate justices of the supreme court, judges of the courts of appeals, and circuit court judges.

Also:

By Messrs. Cauthen, Lyons, Jones (F), Bank, Fite, Mims, Taylor, Collins, Williams, O'Daniel, Harris, Benton, Wise, May, Headley, McCorquodale, McDonald, Jackson, Lang, Callahan, Kinsey, Cross, Falkenburg, Manley, Hill, Barkett, Cottingham, King, Weeks, Pruitt, Carter, Smith (P), Flippo, Naramore, Dill, Hughes, Meeks, Grainger, Culver, Robertson, Owens, Nettles, Stokes, Roberts, Hale, Merrill, Erdreich and Ellis:

H. 1384. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 990, 569 and 421. To the Committee on Judiciary.

H. B. 1502. To the Committee on Agriculture.

H. B.'s 289 and 1384. To the Committee on Finance and Taxation.

H. B. 1670. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 189. To the Committee on Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Flipppo:

H. 805. To amend Section 402 of Title 51, Code of Alabama of 1940, so as to provide for the deduction of certain dividends received by domestic and foreign corporations.

Also:

By Messrs. Owens and Lyons:

H. 1132. To provide a method by which an insurance company incorporated under the laws of this State may, by resolution of its board of directors, apply any part or all of its capital surplus to the elimination or reduction of any deficit, however incurred.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 805. To the Committee on Judiciary.

H. B. 1132. To the Committee on Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and sends same herewith to the Senate:

S. 529. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Also:

S. 524. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of the Tax Collector and or the Tax Assessor of Choctaw County, Alabama.

Also:

S. 511. Relating to Wilcox County; providing an additional expense allowance for the chairman and members of the Wilcox County Commission or other like governing body.

Also:

S. 504. To amend Section 2 of Act No. 398, H. 876, Regular Session, 1955, (Acts 1955, p. 933), an act relating to Etowah County, creating the governing body of such county, said Section 2 thereof providing for the election and term of office of the president of such governing body.

Also:

S. 503. Relating to Etowah County; providing that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Also:

S. 236. To authorize any city in any county having a population of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census, to establish, maintain and operate a nonprofit ambulance service.

Also:

S. 173. To permit banks now or hereafter situated in counties having a population of not less than 16,600 nor more than 16,950 according to the last or most recent federal decennial census, to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Collins:

H. 1811. To fix the compensation or salary of the Clerk of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Also:

By Messrs. Nettles, Collins, Wood, Stokes, Callahan, Therrell, Roberts, Perloff, Lyons and Downing:

H. 1903. Proposing an amendment to the Constitution of Alabama authorizing the levying of a special property tax in Mobile County for the purpose of carrying out the operation and programs of the County Health Department, including a program to control mosquitoes, rodents and other vectors of public health and welfare significance.

Also:

By Messrs. Perloff, Collins, Therrell, Downing, Roberts, Nettles, Gafford, Falkenburg, McNair, Dill, Timmons, Hughes, Doss, Weeks, Ellis, Waggoner, Boutwell, McBride, Meeks, Bowers and McMillan:

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Sections 827 (1) thru and including Section 827 (6), as last amended, of Title 7 of the Code of Alabama shall apply to and govern procedures in such courts.

Also:

By Messrs. Stokes, Downing, Wood, Callahan, Nettles, Roberts and Perloff:

H. 1833. To amend the title and Section 2 of Act No. 2453, Acts of Alabama, Regular Session 1971 (1971 Acts, Vol. V., p. 3920), which relates to certain counties classified on a population basis, so as to exempt certain municipalities and governmental agencies and their employees from its provisions.

Also:

By Messrs. Wood and Nettles:

H. 1352. Relating to Mobile County, authorizing the government of each municipality in the county to contribute public funds for a volunteer rescue squad.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

An act relating to Mobile County, authorizing the government of each municipality in the county to contribute public funds for a volunteer rescue squad.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of any municipality located in Mobile County is hereby authorized to appropriate or expend municipal funds for the purpose of providing contributions for the use of any organized and established volunteer rescue squad operating within Mobile County. After the municipal governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions, payments should be made from municipal funds upon the warrant signed by the Mayor or other presiding officer of the municipal governing body.

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of the Mobile Press and the Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 19, 26, June 2, 9, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 5th day of July 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Messrs. Collins, Downing and Callahan:

H. 1721. To authorize the County Commission of Mobile County to make appropriations for the support, operation, maintenance, improvement and expansion of the Greater Mobile Safety Council in Mobile County for the use and benefit of the public.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the County Commission of Mobile County to make appropriations for the support, operation, maintenance, improvement and expansion of the Greater Mobile Safety Conference in Mobile County for the use and benefit of the public.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission of Mobile County is authorized to make appropriations from the General Fund of the County for the use, operation, maintenance, improvement and expansion of the Greater Mobile Safety Conference, being operated and maintained for the use and benefit of the public in Mobile County. Such appropriations may be made in such amounts and on such schedule of payments as the County Commission shall in its discretion determine.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of The Mobile Press and the Mobile Register, daily newspapers printed and

published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 9, 16, 23, 30, 1973.

JUDY BEASLEY.

Sworn to and subscribed before me this 30th day of July 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Messrs. Grainger, Lutz, King and Hearn:

H. 1888. To require that all district attorney's fees taxed and collected in all reciprocal support cases in the Twenty-Third Judicial Circuit shall be paid into the District Attorney's Fund of the county composing such circuit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1811, 1903, 1833, 1352, 1721 and 1888. To the Committee on Local Legislation No. 1.

H.B. 1128. To the Committee on Local Legislation No. 2.

(The above Bill, H. B. 1903, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Waggoner, Timmons and Wallace:

H. 1675. To amend further Act No. 78, S. 72 of the Special Session of 1961, which regulates the teaching and practice of cosmetology, so as to change the number of hours required for beauty school students, providing that students in beauty schools may work in beauty shops under certain conditions, changing the time a managing cosmetologist is required to work from 2 years to 1 year, changing the limitation on the number of days of compensation payable to members of the cosmetology board, facilitating appeal of decisions of the board without the necessity of trial de novo.

Also:

By Messrs. Stewart, Erdreich, Lyons, Roberts, Cauthen, McCorquodale, Casey, Doss, Smith (P), Taylor, Merrill, Crowe, Jones (F), King, Flippo, Cross, Wood, Smith (K), Culver, Robertson, Waggoner, Carter, Stokes, Nettles, Therrell, Adams, Brassell, Mims, Harris, Agee, Carnes, Coshatt, Wynot, Grainger, Lutz, Boutwell, Falkenburg, Ellis, Dill, Chesnut, Waldrop, Reynolds, Turner, Cottingham, Snell, McDonald, Reed (T), Naramore, Timmons, Hill, Turnham, Barkett, Hardin, Callahan, McBride, Hale and Jackson:

H. 417. To provide for additional employees in the Legislative Reference Service and to further provide for the periodic travel into the various legislative districts in order to aid and assist the legislators in carrying out their duties and makes an appropriation to carry out the provisions of this Act.

Also:

By Messrs. McCorquodale and Lyons:

H. 1309. To make a conditional supplemental appropriation to the Department of Public Safety for the fiscal years ending September 30, 1974 and September 30, 1975

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H.B. 1675. To the Committee on Health.

H. B.'s 417 and 1309. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and sends same herewith to the Senate:

S. 131. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. O'Daniel, Robertson, Downing, Waggoner, Cottingham and Culver:

H. 1484. To provide a division of accounts, insurance and registration within the Public Service Commission; to provide for the chief of such division and provide for his salary.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1484. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 691. To authorize and provide for the promotion of the production, marketing, use and sale of swine and swine products by research, education, advertising and other methods; and prescribing a method whereby swine producers may act jointly with handlers, buyers, processors, the state board of agriculture and industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the commissioner of agriculture and industries and the state board of agriculture and industries with respect to a promotional program for the swine producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of swine throughout the State, and providing for collection and distribution of assessments by dealers, handlers, and buyers of swine; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 400. Relating to Morgan County; to declare the public policy of the State with respect to the violation of Section 420, Title 14, Code of Alabama 1940, as Amended; to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes; to declare that habitual violation of said statutes constitutes a legal nuisance; to provide certain further exemptions; to prevent unfair competition among merchants through violations of said statutes; and to provide for the enforcement by injunction from a court in equity of the provisions within Morgan County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Harris, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 400, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR SENATE BILL 400

A BILL
TO BE ENTITLED
AN ACT

Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall be applicable within Morgan County, Alabama.

Section 2. Declaration of Policy. It is recognized that the maintenance of public health is of vital importance to the general welfare of the State of Alabama and of its people, and it is further recognized that the preservation of an opportunity for rest and relaxation is vital to the maintenance of public health. For the protection of the public health and general welfare, it has been deemed essential that one day be set aside each week as a day of rest and relaxation and this can best be accomplished and the enforcement thereof can best be policed by setting aside Sunday as a day to be observed, generally, for rest and relaxation; it is further recognized, however, that, for public convenience and necessity, certain activities are promotive of rest and relaxation, and are otherwise desirable for the general convenience of the citizens of this County.

Section 3. On furtherance of the health and welfare of the citizens of Morgan County, hereinafter the provisions of Sections 420, 421 and 422, Title 14, Code of Alabama 1940, shall not be applicable to said county. In lieu thereof, the governing body of the county or any incorporated municipality in this county may by resolution or ordinance adopt reasonable rules and regulations prohibiting certain activity within its jurisdiction on Sunday, and may provide penalties for the violation thereof.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Johnson	Pierce
Baker	Foshee	Malone	Register
Carr	Gilmore	Neenan	Vacca
Clark	Harris	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Dozier	King		

—25

Nays:

—0

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Horne:

S. 892. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

Committee on Local Legislation No. 1.

By Mr. Horne:

S. 893. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

Committee on Local Legislation No. 1.

By Mr. O'Bannon:

S. 894. To amend Act Number 1255, H. 1118, and Act Number 1144, S. 593, Regular Session, 1969 (Acts 1969, Pages 2145 and 2372, respectively), which authorizes and provides for the establishment of a public law library in Colbert County, and provides for the taxing and collection of additional court costs in certain courts, in the county, to finance such library; to provide further for the taxing and collection of additional court costs for such purpose.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

TO AMEND ACT NUMBER 1255, H. 1118, AND ACT NUMBER 1144, S. 593, REGULAR SESSION, 1969 (ACTS 1969, PAGES 2145 AND 2372, RESPECTIVELY), WHICH AUTHORIZES AND PROVIDES FOR THE ESTABLISHMENT OF A PUBLIC LAW LIBRARY IN COLBERT COUNTY, AND PROVIDES FOR THE TAXING AND COLLECTION OF ADDITIONAL COURT COSTS IN CERTAIN COURTS, IN THE COUNTY, TO FINANCE SUCH LIBRARY; TO PROVIDE FURTHER FOR THE TAXING AND COLLECTION OF ADDITIONAL COURT COSTS FOR SUCH PURPOSE.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act number 1255, H. 1118, and Act number 1144, S. 593, Regular Session 1969 (Acts 1969, Pages 2145 and 2372, respectively), which authorizes and provides for the establishment of a Public Law Library in Colbert County, is hereby amended to read as follows:

"Section 2. In order to provide a special fund for the maintenance of said library, there shall be taxed as cost:

"The sum of Two and no/100 (\$2.00) Dollars, in each misdemeanor case, or case involving the violation of a municipal ordinance, other than an ordinance relating to parking vehicles filed in a municipal court;

"The sum of Three and no/100 (\$3.00) Dollars, in each criminal case, quasi-criminal case, or civil case filed in the County Court, and in each criminal case, or quasi-criminal case involving a misdemeanor filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Colbert County;

"The sum of Three and no/100 (\$3.00) Dollars, in each criminal or quasi-criminal case, involving a felony, and in each civil action, at law, suit in Equity, proceeding on a forfeited bail bond or proceeding on a forfeited bond, given in connection with an appeal from a judgement of conviction in any Inferior Court, to the Circuit Court of Colbert County, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the Circuit Court of Colbert County, Alabama.

"Such costs shall be collected as other cost in such Courts are collected, and shall be paid by the magistrate, clerk of the court, or register thereof, as the case may be, to the County Depository of Colbert County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise, becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA, COLBERT COUNTY

Before me, John D. Clement, Jr., a Notary Public in and for said State and County aforesaid, personally appeared Jim Crawford, Jr., Publisher of The Colbert County Reporter, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: July 19, 26, Aug. 2, 19, 1973; That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the Postoffice at Tuscumbia, Alabama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

JIM CRAWFORD, JR.,
Publisher.

Sworn to and subscribed before me, this 15th day of August, 1973.

JOHN D. CLEMENT, JR.

By Mr. Owen:

S. 895. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing an annual expense allowance for the sheriff of such counties.

Committee on Local Legislation No. 1.

By Mr. Malone:

S. 896. Requiring immunization of children against or testing for certain diseases designated by the State Board of Health and requiring proof of immunization or testing prior to entry of children into school.

Committee on Health.

By Mr. O'Bannon:

S. 897. To provide for a stenographic secretary for the District Attorney of the Thirty-First Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 898. To authorize the Director of the Department of Public

Safety to retain on a contractual basis such persons as he deems necessary effectively to support the Department of Public Safety and local law enforcement efforts in apprehending violators of the criminal statutes of the State of Alabama, including efforts aimed at combating the menace of narcotic and drug abuse.

Committee on Commerce, Transportation
and Common Carriers.

By Messrs. Pelham and Wilson:

S. 899. To amend Section XII of Act No. 399, 1969 Acts of Alabama (page 783) entitled "An act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining, to provide for permit fees, bonds and conditions for forfeiture thereof, to set up a Surface Mining and Reclamation Fund for administration of Act.

Committee on Health.

By Mr. Lindsey:

S. 900. To prohibit the placing upon or in view of public highways any unauthorized sign, signal, marking or device resembling an official traffic control device or which attempts to direct the movement of traffic, prohibits the use of traffic signs or signals or commercial advertising upon any public highway, and declares every such prohibited sign to be a public nuisance and gives the highway director the authority to remove such sign.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 901. To amend section 21, Title 36, Code of Alabama, 1940, which provides that vehicles must stop and/or yield the right of way at certain intersections and provides that the highway department or local officials may designate the intersections.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 902. To further amend Section 16, Title 36, Code of Alabama, 1940, providing for the manner of making turns at the intersection of roadways.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 903. To amend Section 5, Title 36, Code of Alabama, 1940, which establishes speed restrictions for motor vehicular traffic.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 904. To amend Section 6, Title 36, Code of Alabama, 1940, requiring that warning signals at grade crossing be obeyed.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 905. To amend section 25, Title 36, Code of Alabama, 1940 to permit police officers to remove unattended vehicles from public highways and to permit police officers to remove or cause to be removed from the highways certain other vehicles.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 906. To amend further Section 1 of Title 36, Code of Alabama, 1940, for the purpose of defining or re-defining the following words and phrases: "authorized emergency vehicle," "highway," "private road or driveway," "right of way," "stand or standing," "stop or stopping" "through highway," "vehicle," "alley," "arterial street," "business district," "street," and "urban district."

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 907. To amend Act Number 516 of the 1949 Regular Session of the Legislature which further regulates the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing the method of enforcing this Act; and prescribing penalties for violations hereof.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 908. To amend Act No. 160, Third Special Session of 1971, approved January 19, 1972, which said Act provides for the statewide property reappraisal program, by amending Sections 9 and 13 of such Act, as to the use of funds to pay the states part of the cost of appraisals financed by the counties.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 909. To amend section 32, Title 36, Code of Alabama, 1940, which enumerates the powers of local authorities to regulate vehicular traffic.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 910. To further amend section 15, Title 36, Code of Alabama, 1940, which prohibits the driver of a vehicle from following another vehicle too closely.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 911. To relieve the state personnel director of the duty of having published the names and addresses of all state employees as re-

quired by the Code of Alabama 1940, Title 55, Section 299, as amended.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 912. To create the Minerals Resource Management Committee; to provide for its membership, duties and responsibilities.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 913. To further amend Section 17, Title 36, Code of Alabama, 1940, which prescribes rules and signals for the starting, stopping, and turning of vehicles.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 914. To amend section 7, Title 36, Code of Alabama, 1940, which authorizes the establishment of special speed limitations on bridges, to include speed limitations for vehicles towing house trailers and for vehicles equipped with solid rubber tires.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 915. To further amend section 26, Title 36, Code of Alabama, 1940, which prohibits the stopping, standing or parking of vehicles in certain specified places.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 916. To authorize peace officers to have any vehicle removed which has been unattended for 24 or more hours upon or adjacent to any public roadway and is a traffic hazard.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 917. To prohibit the backing of a vehicle onto a controlled-access highway and prohibits the backing of a vehicle in other places unless the movement can be made safely and without interference with other traffic.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 918. To amend section 9, Title 36, Code of Alabama, 1940, requiring that, upon roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway and providing for certain exceptions.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 919. To establish rules governing the overtaking and passing of vehicles proceeding in the same direction.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 920. To further amend section 48, Title 36, Code of Alabama, 1940, by requiring that traffic control devices placed and maintained by local authorities conform to the state manual and specifications.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 921. To authorize local authorities and the highway department to restrict pedestrian crossing over roadways within their respective jurisdictions.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 922. To amend Section 50 of Title 36, Code of Alabama, 1940, making it unlawful for any person to interfere with or to damage or destroy official traffic-control devices or railroad signs or signals.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Lindsey:

S. 923. To amend section 47, Title 36, Code of Alabama, 1940, by requiring the highway department to adopt a manual and specification for a uniform system of traffic control devices and to place such devices on all state highways and by forbidding local authorities from placing traffic control devices on state highways without permission of the highway department.

Committee on Commerce, Transportation
and Common Carriers.

By Mr. Harris:

S. 924. Relating to any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; further regulating the expense allowances of the tax assessor and tax collector.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 925. Pertaining to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; establishing, subject to a referendum, a Charter Commission for the purpose of proposing a Charter for the consolidation of such counties and the municipalities situated therein; fixing the powers and duties of said Commission, providing for its membership and the payment of expenses.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 926. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of the County Court of Cherokee County is hereafter provided an additional expense allowance of two hundred dollars per month, to be paid out of the county treasury, to be expended in carrying out the duties of his position. Said expense allowance shall be in addition to any and all other salary, compensation or expense allowance provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor; or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me July 11, 1973.

DOT JOHNSON,
Notary Public.

By Mr. Baker:

S. 927. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Commencing with the next term of office of the tax assessor and tax collector of Cherokee County their salary shall be \$8,400 per annum payable out of the county general fund as are the salaries of other county officials.

Section 2. All laws or parts of laws which conflict wiith this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4th, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me July 4th, 1973.

GARY E. DAVIS,
Notary Public.

By Mr. Baker:

S. 928. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Baker:

S. 929. Relating to Cherokee County; to provide that all house

trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cherokee County, to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Be It Enacted by the Legislature of Alabama:

Section 1. In Cherokee County each house trailer must have the identification tag provided for in Act No. 44, H. 53, 1961 Special Session, (Acts 1961, p. 1897) as amended, attached to the rear of said trailer regardless of whether said house trailer has been assessed for ad valorem taxation as part of the realty.

Section 2. This Act shall become effective on October 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-13, 6-20, 6-27, and July 4th, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me 9th day of July, 1973.

GARY E. DAVIS,
Notary Public.

By Mr. Baker:

S. 930. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. McLain:

S. 931. Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reed (T):

H. 112. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

By Mr. Mathews, et al:

H. 324. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

By Mr. Mathews, et al:

H. 325. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

By Mr. Mathews, et al:

H. 326. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

By Messrs. McCorquodale, Lyons, Mathews and Drake:

H. 329. To make appropriations for the operation and maintenance of the State Highway Department, for payment of the principal of and interest on bonds heretofore or hereafter issued for public highway and bridge purposes by the State, Alabama Highway Authority or Alabama Highway Finance Corporation, for salaries, other expenses, equipment purchases, automotive equipment purchases, and for the construction and maintenance of public highways and bridges in the State, which are a part of the State Highway System.

By Messrs. McCorquodale, Mathews, Williams, Drake and Lyons:

H. 330. To make additional appropriations to the Highway Department for the construction of public highways and bridges in the state to supplement those amounts appropriated by Act No. 90, First Special Session of the Legislature 1971.

By Mr. Hobbie, et al:

H. 1061. To provide salary increases for state employees; and to appropriate funds therefor.

By Mr. Wilson:

S. 558. To provide salary increases for state employees; and to appropriate funds therefor.

By Mr. Harris:

S. 851. To make a conditional appropriation to the Special Mental Health Fund from the State General Fund for each of the two fiscal years ending September 30, 1974, and September 30, 1975.

By Messrs. Owens, Lyons, McCorquodale, Drake and Mathews:

H. 342. To make an appropriation to the Governor's Mansion Advisory Board for the renovation, restoration, refurbishing and refurnishing of the Governor's Mansion.

By Messrs. Owens, Lyons, McCorquodale, Drake and Mathews:

H. 341. To confer additional authority upon the Governor's Mansion Advisory Board and to make an appropriation to the Governor's Mansion Advisory Board for the purchase of property in the block upon which the Governor's Mansion is located.

By Mr. Stokes:

H. 370. To amend Title 51, Section 717(1), Code of Alabama, 1940, as recompiled, 1958, so as to provide that certain disabled veterans shall be exempt from all license fees and ad valorem taxes required by or prescribed in Article 8 of Chapter 20, Title 51 of the 1940 Code of Alabama relating to the initial and any subsequent motor vehicles purchased by such veterans.

By Mr. Mathews:

H. 1321. To make an appropriation for the payment of expenses of the Legislature.

By Mr. Connell:

H. 1333. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for the fiscal year ending September 30, 1973.

By Messrs. Harris, Lybrand, Bailes, Pierce, Vacca, Gilmore and Jones:

S. 545. Providing further for the operation of the County board of equalization of each county having a population over 75,000, according to the last or any subsequent federal decennial census, electing to accept the provisions of this act; notification to the Commissioner of Revenue and the Governor of Alabama of such acceptance; providing for the method of accepting said provisions; further regulating the appointment of the members of the Board, the term of service, the compensation, the expense allowance of the members of the Board; making further provision in regard to office space, office fixtures and supplies of the Board, and providing for the employment of clerks and other employees of the Board.

By Messrs. Adams, Flippo and Naramore:

H. 610. To create a committee to study and review state government audit agencies and audit practices; to provide for the appointment of its members and to fix their terms of office; to prescribe the functions and duties of the committee; to provide for the compensation of its members and payment of its expenses; and to make an appropriation for the use of the committee.

By Mr. Fine:

S. 700. To create the Alabama Science & Technology Commission; to provide for the members thereof and to provide for terms, compensation, duties and powers thereof; and to appropriate funds.

By Messrs. Noonan, Edington and Pelham:

S. 824. To amend Section 24 of Act No. 3, H. B. 4, 2nd Special Session 1971 (Acts 1971, p. 4104), entitled "To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973" which section relates to the annual appropriations for the support, maintenance, and development of public education at the University of South Alabama, so as to further regulate the annual appropriation to said University for the fiscal year ending September 30, 1973.

By Mr. Harris:

S. 853. Creating the position of full time deputy district attorney for the eighth judicial circuit; providing compensation for such position.

By Messrs. Hobbie, Jones (F), Barron, Taylor, Robertson and Hearn:

H. 1060. To further amend Section 9 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), as amended, which provides for payment of insurance costs by the state for employees of the state, so as to delete the maximum amount which may be expended for an individual employee's insurance.

By Messrs. Hale, Hobbie, Grainger, McDonald, St. John and Fite:

H. 825. Relating to the payment of certification fees by nurses and teachers, allowing such fees to be paid by personal check.

By Messrs. O'Bannon, Jones and Vacca:

S. 814. To make a supplemental appropriation to the State Agency for Social Security for the fiscal year ending September 30, 1973.

By Mr. Pelham:

S. 872. To amend Title 29, Section 26, Code of Alabama 1940, relating to license fee for distributors, wholesalers, or retailers of malt or brewed beverages.

By Mr. Bailes:

S. 860. To provide that all former Governors of the State of Alabama who shall have been partially or totally disabled while serving in that office shall receive monthly retirement pay out of the general fund in the state treasury.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (F) (With Amendment):

H. 126. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related

hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

S. 281. To make an appropriation of \$80,000 per year for the next two fiscal years, out of any funds in the State Treasury not otherwise appropriated, for use by the State Health Department for Family Planning Services.

Mr. Pelham, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pelham, Lybrand and Harris (With Amendment):

S. 720. To require annual audits by licensed certified public accountants or licensed certified public accounting firms of banks and savings and loan associations; to require reports of such audits to be made to the State Superintendent of Banks; to authorize the State Superintendent of Banks to prescribe form and content of such audits and reports; and to prescribe penalties.

Mr. Wilder, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gilmore:

S. 243. Relating to banks and branches: To permit a bank maintaining an office for the transaction of banking business within any county of this state to establish additional offices or branches at any place within such county with the consent and approval of the Superintendent of Banks and to repeal all laws or parts of laws in conflict with this Act.

By Mr. Bailes:

S. 409. To amend Section 2 of Act No. 2052 of the Regular Session of 1971, approved October 1, 1971, entitled "AN ACT TO provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act", so as to clarify the method for determining maximum finance charges.

By Mr. Clark:

S. 569. To further amend the Code of Alabama 1940, Title 5, Section 81, which relates to legally required reserves of banks within the state, so as to add penalties for the violation thereof.

By Mr. Clark:

S. 570. To further amend Act No. 603, H. B. 69, Regular Session 1957 (Acts 1957, p. 862), as amended, an act empowering the super-

intendent of banks to require fees for the examination of state banks, credit unions, and small loan companies, so as to regulate further the fees imposed for examination of credit unions.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris (With Substitute):

S. 582. To amend Section 120 of Act 407, H. B. 198, Regular Session, 1971, (Acts of Alabama, 1971, Volume II, Page 774) which regulates the licensing of insurance agents.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Headley and Owens:

H. 1151. Providing for the licensing of insurance premium finance companies; imposing powers and duties on the Commissioner of Insurance; providing for regulation of such companies in the rates and charges permissible and penalties for violations of this Act.

By Messrs. Owens and Lyons:

H. 1316. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investment by the State Insurance Fund.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hobbie and Smith (P):

H. 1536. To regulate the sale of livestock at public livestock auction markets by providing for the collection and deposit of monies received from sales of livestock to assure prompt payment for livestock sold; to authorize the adoption of rules and regulations to effectuate the purpose of this Act; to provide a penalty for violations of this Act; and to repeal conflicting laws.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Noonan:

S. 451. To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts 1967, P. 259), so as to exempt from the provisions of said act Local Housing Authorities organized and existing under Title 25 of the Code of Alabama 1940, as Amended, who have contracts with the Federal Government for financial assistance, which contracts provide for the procurement of supplies and services and the disposition of surplus property.

By Mr. Connell, et al:

H. 418. To amend the Title and Sections 1, 4, 7, 8, 9, 12, 14, 15, 20 and 21 of the Alabama Turnpike Authority Act, pertaining, respectively, to Legislative Purpose, Powers of the Authority, Bonds and Notes of the Authority, Security for the Bonds, Tolls and Other Charges, Exemptions from Taxation, Projects to be Kept in Good Repair, Regulations and Police Service for Projects, Refunding Bonds and Preliminary Study of Project.

By Mr. Roberts:

H. 1004. To authorize County bodies to enter into contracts with Federal Government.

By Messrs. St. John and Dill:

H. 809. To amend further Act No. 422, H. 325, Regular Session 1951, (Acts 1951, p. 745) as amended, which Act regulates the conduct of the real estate business in Alabama, by including travel expenses for certain officials of the Real Estate Commission, by exempting license fees from the Consumer Credit Act of 1971; by revising the requirements for license; by revising the appeals procedure; and by repealing the requirement for the publishing of a roster for licensees.

By Messrs. St. John and Dill:

H. 1085. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745), as amended which Act regulates the conduct of the real estate business in Alabama to provide that all licensed real estate brokers shall display a sign at their place of business, and granting the Real Estate Commission the authority to prescribe the dimensions and form of such sign.

By Messrs. St. John and Dill:

H. 1084. To amend further Act 422, H. 325, Regular Session 1951 (Acts 1951, p. 745) as amended, which Act regulates the conduct of the Real Estate business in Alabama, by providing that expenditures of the Real Estate Commission may be approved and authorized by the Director of the Real Estate Commission and validating all expenditures of the Commission which were made since October 1, 1972, on the signature of the Director.

By Messrs. McCorquodale and Lyons:

H. 1136. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$2,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an

appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

By Messrs. McCorquodale and Lyons:

H. 1138. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$2,000,000 in aggregate principal amount.

By Mr. Hale, et al:

H. 895. Concerning the licensing, regulation, and inspection of employment services as herein defined; providing for the enforcement of these regulations by the Department of Industrial Relations providing penalties for the violation thereof, and repealing all existing laws in conflict herewith.

By Messrs. Jones (F) and Taylor:

H. 749. To amend Section 6 of Act No. 1938, H. 262, Regular Session 1972, approved September 20, 1972, which act establishes a Uniform Standards Code for the construction of Mobile Homes to be sold within this state so as to require the posting of bond by the dealer or manufacturer before the issuance of a license by the State Fire Marshal.

By Messrs. Erdreich, Jones (F), Ellis and McBride:

H. 419. To amend Title 52, Section 100, Code of Alabama, 1940, changing the name of School Trustees to that of Local School Advisory Committee and to repeal Title 52, Sections 138, 139, 140, 141, 143, 144, 145, 146, and 147 and to further provide for the selection of Local School Advisory Committees and specify their powers.

By Mr. Ellis:

H. 29. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said license.

By Messrs. McCluskey and Smith (P):

H. 510. To authorize the governing body of any county or the governing body of any municipality within the county to establish within the county or within the municipality ambulance service on a non-profit basis; to authorize the county to unite with any municipality within the county or two or more municipalities within the county, to unite with each other or together with the county, in the establishment of such ambulance service, making such service common for the use of the county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by the county or any municipality; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality from tort liability while operating ambulances or providing ambulance service as authorized herein.

By Mr. McCluskey:

H. 1283. To amend Section 8 of Act No. 42 enacted at the 1971 Regular Session of the Legislature, and approved June 29, 1971, relating to Alabama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$50,000,000 and to extend the maximum period of repayment of Authority bonds.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Williams (With Amendment):

H. 991. To provide for a retirement system for the sheriffs of the various counties within the state.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Drake:

H. 243. To create a State Board of Auctioneers which shall administer and enforce the licensing of auctioneers in this state; to provide that licensees keep certain records; to assess fees; and to provide penalties for violations of this act.

By Mr. Connell:

H. 692. To amend Section 3 of Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, as amended, so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority, and so as to make further provisions regarding the distribution of said share of the net proceeds from said tax.

By Mr. Connell:

H. 693. To amend Section 13 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended (relating to the excise taxes on diesel oil and other motor fuel as defined in said act as amended), so as to provide for distribution of the net proceeds from said taxes for payment, to the extent necessary therefor at their respective maturities, of the principal of and interest on bonds and notes of Alabama Turnpike Authority.

By Mr. Owens, et al:

H. 979. To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable

report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Clark (with notice and proof):

S. 799. To give statutory recognition to the condominium form of ownership of real property in Barbour County and prescribe regulations therefor.

By Mr. Clark (with notice and proof):

S. 823. To authorize the governing body of Barbour County to provide for the relief of Evelyn Herring for the damage to her automobile due to a defective county road.

By Messrs. St. John and Drake:

H. 932. Relating to all counties having a population of not less than 50,000 nor more than 52,500, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

By Messrs. Drake, McDonald and St. John (with notice and proof):

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

By Messrs. Drake, St. John and McDonald (with notice and proof):

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

By Messrs. Drake, McDonald and St. John (with notice and proof):

H. 1355. To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

By Messrs. Drake, McDonald and St. John (with notice and proof):

H. 1412. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

By Mr. Crowe:

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

By Mr. Crowe:

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

By Mr. Crowe:

H. 1860. Relating to counties having populations of not less than

55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

By Mr. Perloff (with notice and proof):

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

By Mr. Perloff (with notice and proof):

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gafford (With Amendment):

H. 111. Relating to counties having a population in excess of 600,000 inhabitants; providing that retail and wholesale automotive parts businesses, antique dealers, flea markets, gift shops, and shops operated at public parks, public airports, public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Timmons, et al:

H. 773. To authorize county and municipal governments of counties with a population of more than 600,000 to enter into contract providing for the Sheriff to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasury monies sufficient to reimburse the county treasurer for expenditures necessary to provide contract policing.

By Mr. Gafford, et al:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Timmons, et al (With Amendment):

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from

twenty-two per cent (22%) to fifty per cent (50%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McBride:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Boutwell, McNair and Weeks (With Amendment):

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

By Messrs. Timmons and Adwell (With Amendment):

H. 1646. Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

By Mr. Weeks, et al (With Amendment):

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Boutwell, Wallace, Doss and Bowers (with notice and proof):

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special

Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Adwell (With Amendment):

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Weaver:

S. 850. Relating to all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations; validating, ratifying and confirming all prior deposits of such fines and forfeitures; repealing all conflicting laws and parts of laws general, local and special.

By Mr. Weaver:

S. 861. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

By Mr. Weaver:

S. 862. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of certain deputies in the office of the sheriff.

By Mr. Weaver:

S. 863. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of bailiffs appointed by any circuit judge of the judicial circuit in which such county lies.

By Mr. Weaver:

S. 864. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the judge of the county court in such counties.

By Mr. Weaver:

S. 865. Relating to all counties having populations of not less

than 65,000 nor more than 68,000; providing further for the compensation of the tax assessor and tax collector in all such counties.

By Mr. Weaver:

S. 866. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salary of the clerical assistant to the district attorney of the judicial circuit in which such county lies.

By Mr. Weaver:

S. 867. Relating to the assistant district attorney in all counties having populations of not less than 65,000 nor more than 68,000; increasing the supplement to the salary paid by the state.

By Mr. Weaver:

S. 868. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the circuit clerk in such counties.

By Mr. Weaver:

S. 869. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the register of the circuit court in such counties.

By Mr. Horne (With Notice and Proof):

S. 871. Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

By Mr. Baker:

S. 878. Relating to all counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census, setting the salary for the County Solicitor or Deputy District Attorney.

By Mr. Baker:

S. 879. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

By Mr. Lybrand:

S. 856. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

(The above bill was read a second time at length as required by the Constitution.)

By Mr. O'Bannon:

S. 889. To provide for an investigator in the district attorney's office of the Thirty-First Judicial Circuit.

By Mr. Carr:

S. 846. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 5,550 nor more than 5,700 inhabitants that lie within counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

By Mr. Harris:

S. 852. Repealing Act No. 278, H. 369, Special Session 1966 (Acts 1966, p. 420) which created a deputy district attorney for the Eighth Judicial Circuit.

By Mr. Fine:

S. 855. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to authorize the board of registrars to meet for 60 days in addition to the number of days now provided by law for the purpose of implementing the federal court's plan of reapportionment; to authorize the county commission to appoint additional personnel and clerical help to work under the board of registrars, to determine the compensation of such personnel and to pay such compensation from the general fund of the county.

By Mr. Shelby:

S. 857. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

By Mr. Shelby (with notice and proof):

S. 858. Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

By Mr. Givhan:

S. 870. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

By Mr. Carr:

S. 877. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal

decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

By Mr. Fine:

S. 881. Applicable to any city having a population of not less than 7,750 no more than 7,825 according to the most recent federal decennial census; to provide an expense allowance to the mayor of any such city.

By Mr. Harris:

S. 882. Amending the title and Section 3 of Act No. 258 of the 1973 Regular Session of the Alabama Legislature, relating to election districts for Morgan County, so as to provide for the changing of election dates in Districts three and four.

By Mr. Clark:

S. 875. Relating to counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census; authorizing the District Attorney of such counties to appoint one Deputy District Attorney; providing for compensation.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Coshatt (With Notice and Proof) (With Amendment):

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Grainger, et al (With Substitute):

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-Third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hale, Lutz, Hearn, King and Grainger (with notice and proof) (With Amendment):

H. 1817. To authorize and establish in Madison County Alabama the office of Warrant Magistrate; to provide for the appointment of a

warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hearn, King, Grainger, Hale and Lutz:

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys.

By Messrs. Lutz, Grainger, Hearn, King and Hale (with notice and proof):

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

By Messrs. Lutz, King, Grainger and Hale (with notice and proof):

H. 1684. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

By Mr. Hearn, et al:

H. 996. To further amend Title 13, Section 187, Code of Alabama 1940, as amended, which provides for the appointment, compensation and duties of circuit court bailiffs, so as to provide for counties having a population of not less than 175,000 and not more than 300,000, according to the most recent federal decennial census, with three or more circuit judges, to increase the compensation of bailiffs without a law degree and to establish a rate of compensation for bailiffs with law degrees.

By Messrs. King, Grainger, Lutz, Hale and Hearn:

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

By Messrs. Hale, Hearn, Lutz, King and Grainger:

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

By Messrs. Hale, Hearn, King, Lutz and Grainger:

H. 1822. Relating to counties having a population not less than

175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

By Messrs. Kinsey and Benton:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

By Mr. May:

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the buildings or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

By Messrs. Carnes, Wynot and Waldrop (with notice and proof):

H. 1880. To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972.

By Messrs. Carnes, Wynot and Waldrop:

H. 1845. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to impose certain additional privilege or license taxes upon the sale of malt or brewed beverages in certain areas of said counties, and to provide for the collection and distribution of said taxes.

By Messrs. Carnes, Wynot and Waldrop (with notice and proof):

H. 1747. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

By Messrs. Carnes, Wynot and Waldrop:

H. 1730. Relating to Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent Federal Decennial Census; to provide for the Clerk of Circuit Court in such Counties to collect Commission on Judgments, except on Garnishments, where the Judgments are collected by said Clerk after Ninety (90) days from the date of rendition.

By Messrs. Carnes, Waldrop and Wynot:

H. 1746. To provide that a judge, or former judge, of the County Court of counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census may elect to become a supernumerary judge of said court under certain

conditions; to provide for the duties, authority and compensation of any such supernumerary judge.

By Messrs. Manley and Pruitt (with notice and proof):

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

By Mr. Turnham:

H. 1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

By Messrs. Cottingham and Turner:

H. 1597. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 54,500 and not more than 56,000 according to the last and any subsequent decennial federal census; to provide for a more convenient and efficient method for the issuance of all licenses except marriage licenses; to prescribe the powers, duties, and authority of the commissioner of licenses; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

By Messrs. Crowe and Naramore:

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunch-room employees of boards of education of such counties.

By Messrs. Merrill, Stewart and Burgess:

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessor, tax collectors, probate judges and license commissioners of such counties may belong.

By Messrs. Merrill, Stewart and Burgess:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court clerk in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

By Messrs. Crowe and Naramore:

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an em-

ployee of the State of Alabama prior to such membership.

By Mr. Coshatt (with notice and proof):

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

By Messrs. Coshatt and Reid (R):

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

By Mr. McDonald:

H. 1454. To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent Federal decennial census.

By Mr. Coshatt (with notice and proof):

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

By Messrs. McDonald and Drake:

H. 1486. Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit.

By Mr. Edwards:

H. 1725. Relating to counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

By Mr. Edwards:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

By Mr. Casey:

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or au-

thorities granted by such proposed amendment to such municipalities.

(The above bill was read a second time at length as required by the Constitution.)

By Mr. Casey (with notice and proof):

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

By Messrs. McDonald and Drake:

H. 1487. Relating to the twenty-seventh judicial circuit of Alabama, providing for two assistant district attorneys and for county supplement to the existing salary of the district attorney of said judicial circuit.

By Mr. Perloff (with notice and proof):

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1965 (Acts 1956, page 328), as amended relating to Courts of General Sessions of Mobile.

By Mr. Cauthen:

H. 1834. To provide for the creation of public corporations in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

By Messrs. Robertson and Bank (with notice and proof):

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

By Mr. Turnham (with notice and proof):

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

By Mr. Turnham:

H. 1152. To impose a twenty per cent (20%) tax on all alcoholic beverages purchased from the Alcoholic Beverage Control Board for the purpose of resale outside the police jurisdiction of any incorporated municipality located in any county having a population of not less than 60,000 nor more than 65,000.

By Mr. Snell (with notice and proof):

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

By Mr. Grey (D):

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

By Mr. Grey (D):

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

By Mr. Grey (D):

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendent of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

By Messrs. Cross and Carter (with notice and proof)

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and

transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

By Mr. Grey (D):

H. 1882. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

By Mr. Grey (D):

H. 1789. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing additional clerk hire allowances for the offices of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

By Mr. Grey (D):

H. 1787. To provide expense allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

By Mr. Grey (D):

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

By Mr. Mathews (with notice and proof):

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

By Mr. Stubbs:

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "An Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation."

By Mr. Edwards (with notice and proof):

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

By Mr. Dozier:

S. 880. To create the office of supernumerary county commissioner in all counties with a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

By Messrs. Bassett and Hardin:

H. 1801. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

By Messrs. Bassett and Hardin:

H. 1803. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

By Messrs. Wise and Jackson (with notice and proof):

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

By Messrs. Wise and Jackson (with notice and proof):

H. 1807. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

By Mr. Reed (T):

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

By Messrs. Reed (T) and Gray (F) (with notice and proof):

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Baker:

S. 691. Relating to irrigation and water conservation; authorizing the state to provide financial assistance, to underwrite and to guarantee costs of a pilot irrigation and water conservation project and facilities related thereto; creating a state irrigation development trust fund; and providing for the use of such fund; prescribing the manner of repayment of any loans by the state made for the use of such project; and

providing that any such project shall remain under the supervision and control of the state until all monies owed are repaid.

By Mr. Baker:

S. 563. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

(The above bill was read a second time at length as required by the Constitution.)

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cook (With Amendment):

S. 890. Relating to counties having a population of 600,000 or more inhabitants according to the most recent Federal decennial census; providing for the establishment of a county compensation commission and to provide for the make up of the commission and to subscribe the duties of the commission.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gilmore:

S. 692. To amend Act No. 703, Regular Session 1951, Acts of Alabama 1951, Vol. II, p. 1211 at p. 1221, to provide further for the use of Federal and State funds for public assistance payments.

Mr. Weaver, Chairman of the Standing Committee on Youth and Student Activities, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Merrill, et al:

H. 1405. To provide that any person in this state at the arrival at the age of eighteen years shall be relieved of their disabilities of minority.

ADOPTION OF RESOLUTION

The Resolution:

S. J. R. 86. MOURNING THE DEATH OF MERVYN HAYDEN STERNE was again read and, on motion of Mr. Bailes, was adopted by the Senate.

RESOLUTIONS

Mr. Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 87. COMMENDING MARTIN GRIMES ON HIS EXCELLENT BOOK, "TURNIP GREENS AND SERGEANT STRIPES"

WHEREAS Martin Grimes, a native of Bradleytown, Alabama, has written a brilliant, comical and hilarious book, "Turnip Greens and

Sergeant Stripes", which is about growing up in the South in the lean years of the depression and thereafter; and

WHEREAS his zany 79-word "Southern Vocabulary or Correct English" with such listings as sud'en ("Rat now or quick-like") and sho' ("True; or the bank of a creek. Also a 'picture sho'") sends the reader on a laughing fit; and

WHEREAS this body wishes one of its native sons much success in his new career as a writer. Mr. Grimes retired in 1962 after a long and successful career in the United States Army in which he was awarded several decorations; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body wishes a native son, Martin Grimes, much success with his book "Turnip Greens and Sergeant Stripes" and we hope that the future will bring many more humorous "Tall Tales" from his talented pen.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Martin Grimes.

On motion of Mr. Wilson, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. King offered the following Senate Joint Resolution, to-wit:

S. J. R. 88. ENCOURAGING CITIZENS TO OBSERVE THE NATIONAL DEMOCRATIC PARTY'S FUND RAISING TELETHON TO BE BROADCAST ON NBC ON SEPTEMBER 15, 1973

WHEREAS the National Democratic Party Committee has organized and will present a national telethon to be broadcast over the NBC television network on the evening of September 15, 1973; and

WHEREAS this program offers a unique opportunity to reform political fund-raising procedures by offering Americans a real chance to take government out of the hands of special interests and to prove that the public will finance the political system if given the opportunity; and

WHEREAS this National Democratic Party Committee telethon seeks to interest and involve Americans in a political system they feel left out of and seeks to help restore faith in the two-party system by demonstrating that it works. The success of the telethon will give the Democratic Party a sound base for upcoming campaigns; and

WHEREAS the Democratic Party in Alabama will share in one-half the proceeds collected in the state with the other one-half of the proceeds to be sent to the National Democratic Party; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body encourages its members and the citizens of this state to participate in this most important program and to enjoy the marvelous parade of prominent entertainers who will perform during this program.

On motion of Mr. King, the Rules were suspended and the Resolution was adopted by the Senate.

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 89. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business, upon reaching

bills on third reading, for the Thirtieth Legislative Day only.

Page No.

All uncontested local bills and General Bills of Local Application

1.	H. B.	331	176	Mental Health Appropriation Bill
2.	H. B.	1024	152	Supplemental Appropriation bill
3.	H. B.	803	94	Electric Coop Quorum Requirements
4.	H. B.	977	130	County Rate changes, ad valorem
5.	S. B.	670	93	Lt. Governor's office—constitutional amendment
6.	S. B.	336	21	Salary Commission
7.	S. B.	358	30	Judge's Salary Bill
8.	S. B.	788	21	(Supplement) Supernumerary Circuit Judges
9.	H. B.	314	29	Title Law
10.	H. B.	212	171	Franchise Tax
11.	S. B.	298	34	Parks & Recreation Board
12.	H. B.	1025	110	Capital Requirements Domestic Life Ins. Co.
13.	H. B.	860	111	Increases Severance Tax Forest Products
14.	H. B.	447	110	Petroleum Products
15.	S. B.	145	10	Teacher Tenure Law
16.	S. B.	253	68	Merchandise Mart
17.	H. B.	251	152	Public Safety Communications System
18.	S. B.	622	124	Identify years of service—retirement system
19.	S. B.	245	25	Boxing and Wrestling Commission
20.	S. B.	527	56	Records of copper wire purchases
21.	H. B.	835	153	Supplemental appropriation—coliseum
22.	S. B.	223	148	Board of Education Expenses
23.	S. B.	685	171	Judge's Reform Bill
24.	S. B.	470	85	Alabama Non Profit Corporation Act
25.	S. B.	5	56	Condominium Bill
26.	S. B.	756	104	Exempt Tobacco from ad valorem, when stored
27.	S. B.	186	82	Expenses Circuit Judges
28.	S. B.	735	232	Modernizes Probate Judge's Fees
29.	S. B.	86	52	Driver Education and Training
30.	H. B.	245	67	Circuit Judge—Cullman County
31.	H. B.	292	126	Bar Exam Bill
32.	S. B.	658	81	Bi State Compact (Superport)
33.	S. B.	642	80	Bi State Reciprocal (Superport)
34.	S. B.	311	88	Coastal Area (Superport)
35.	S. B.	515	22	(Supplement) Superport
36.	S. B.	516	22	(Supplement) Superport

And said Resolution was then adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business

for today, which was the Bill:

H. 245. Relating to the Thirty-Second Judicial Circuit; providing for an additional circuit judge in such circuit.

The question was on the motion of Mr. Baker on the Twenty-Ninth Legislative Day that the Senate reconsider the vote by which the Bill, H. B. 245, was passed.

Mr. Harris moved that the motion to reconsider be laid on the table, which motion was lost.

Yeas 7; Nays 19.

Yeas:

Messrs.:	Clark	Harris	Weaver
Branyon	Givhan	Noonan	Wilson

—7

Nays:

Messrs.:	Dozier	Horne	Pelham
Bailes	Fine	Jones	Pierce
Baker	Foshee	King	Register
Carr	Gilmore	Lybrand	Shelby
Dominick	Hawkins	Melton	Wilder

—19

And the motion to reconsider was then adopted by the Senate.

On motion of Mr. Baker, further consideration of the Bill, H. B. 245, was postponed temporarily.

RESOLUTION

Mr. Dozier offered the following Senate Joint Resolution, to-wit:

S. J. R. 90. RESOLUTION NAMING THE UNIVERSITY CENTER BUILDING AT TROY STATE UNIVERSITY THE RALPH W. ADAMS BUILDING.

WHEREAS, Dr. Ralph W. Adams has supervised with brilliance and diligence during the past nine years the unprecedented improvements which have made Troy State University a nationally recognized educational center; and

WHEREAS, the students and the faculty of Troy State University have benefited greatly from the increased stature and status of the University under his guidance; and

WHEREAS, it is both fitting and proper that such extraordinary leadership be publicly recognized with the greatest possible degree of performance; now therefore;

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the new University Center Building at Troy State University be henceforth named the Ralph W. Adams Building, as a fitting tribute to the significant contributions he has made toward the development of the University.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Ralph W. Adams.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 704. Relating to DeKalb County; fixing the salaries of Judge of Probate Court, Circuit Clerk, Tax Assessor, Tax Collector and Judge of Inferior Court, and to provide payment of such salaries; and providing for a referendum thereon.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Baker	Gilmore	McLain	Register	
Carr	Harris	Melton	Shelby	
Clark	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Fine	Lindsey			—25

Nays: —0

The Bill:

S. 761. To provide an additional expense allowance for the Circuit Judges of the Ninth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Horne	Melton	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 762. To provide for an additional expense allowance for the District Attorney of the Ninth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Baker	Gilmore	Lybrand	Pelham	
Carr	Givhan	McLain	Register	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Melton	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

S. 763. To provide an expense allowance for the District Attorney of the Thirty-eighth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Baker	Gilmore	Lybrand	Pelham	
Carr	Givhan	Malone	Pierce	
Clark	Harris	Melton	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 764. To provide for an expense allowance for the Circuit Judge of the Thirty-eighth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Lybrand	Pelham	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Malone	Shelby	
Cook	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones			—25

Nays: —0

The Bill:

H. 636. To fix the compensation or salary of the assistant Tax Assessor or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 638. To fix the compensation or salary of the assistant Tax Collector or deputy Tax Collector of any branch office of the Tax Collector in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 689. In all counties having a population of 500,000 or more according to the last or any succeeding Federal Decennial Census. Each member of the jury board, Commission or like body shall be paid an additional sum of fifty dollars (\$50.00) per month, to be paid monthly out of the County Treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Register	
Carr	Hawkins	Malone	Shelby	
Cook	Horne	Melton	Vacca	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 776. To fix the compensation or salary of the Assistant to the Sheriff of any branch office of the Sheriff in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof; and to change the designation of said office to "Assistant Sheriff".

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	Lybrand
Bailes	Edington	Hawkins	Malone
Branyon	Foshee	Jones	Melton
Cook	Gilmore	King	O'Bannon
Dominick	Givhan	Littleton	Owen

REGULAR SESSION

1901

Pelham	Shelby	Weaver	Wilder	
Pierce	Vacca			—25
Nays:				—0

The Bill:

S. 705. To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.
was taken up.

Mr. Noonan offered the following amendment to the Bill, S. B. 705, to-wit:

AMENDMENT TO S. B. 705

Amend Section 1 of S. B. 705 by deleting "twenty two thousand five hundred" and substituting therefor "nineteen thousand nine hundred and fifty".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Branyon	Givhan	McLain	Register	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

And said Bill, S. B. 705, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Vacca	
Carr	Harris	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 634. Relating to counties having a population of not less than 23,933 nor more than 24,460: To regulate further the allowances, fees, deputies, equipment and maintenance of the Sheriff's Department.
was taken up.

Mr. Littleton offered the following amendment to the Bill, S. B. 634, to-wit:

AMENDMENT TO S. B. 634

Amend S. B. 634 in the synopsis by striking the numbers 23,933 and insert 23,934.

Also strike in the title 23,933 and insert 23,934.

Also in Section 1 strike 23,933 and insert 23,934.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham
Bailes	Fine	McLain	Register
Branyon	Foshee	Malone	Shelby
Carr	Givhan	Melton	Weaver
Cook	Harris	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Dozier	King		

—25

Nays:

—0

And said Bill, S. B. 634, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen
Bailes	Fine	McLain	Pelham
Baker	Foshee	Malone	Register
Carr	Givhan	Melton	Shelby
Clark	Harris	Noonan	Weaver
Cook	Horne	O'Bannon	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 146. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 146, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 146

Amend Section 2 of House Bill 146 by having said Section 2 read as follows:

"Section 2. Section 1 of said Act No. 281 is amended to read as follows:

"(Section 1. Any supernumerary circuit judge or retired circuit judge in any judicial circuit now or hereafter composed of any one county and having not less than eight circuit judges shall be entitled to receive as additional compensation payable from the treasury of the county, a sum equal to 33% of the compensation paid said judge by the State of Alabama. The salaries or compensation provided for herein is supplemental to the salaries or compensation paid such judges by the state and shall be paid out of the general funds of the county in twelve

equal monthly installments on warrants properly drawn against such funds. The supplemental salary provided for by this act shall be in lieu of any and all other sums to be paid from the general funds of the county as provided by any local act or general act of local application. Provided further that all compensation presently received from the general funds of the county shall continue until the benefits provided by this act shall become due and payable.'"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Gilmore	Lybrand	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 146, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Baker	Fine	Lybrand	Register	
Branyon	Gilmore	McLain	Vacca	
Carr	Givhan	Malone	Weaver	
Cook	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 149, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 149

Amend Section 2 of House Bill 149 by having said Section 2 read as follows:

"Section 2. Section 1 of said Act No. 282 is amended to read as follows.

"Section 1. In every judicial circuit composed of only one county and having not less than eight circuit judges, there shall be paid to each circuit judge as supplemental salary to that paid by the State, from the general funds of the county, in equal monthly installments, a sum equal to 33% of the salary paid said judge by the State of Alabama.

The County Commission or other governing body of the county comprising such judicial circuit is hereby authorized, empowered and directed to pay the supplemental salary provided herein to each such circuit judge out of the general funds of the county or such other funds as may be available for such purpose; and such salary shall be in addition to any other allowances or expenses provided by law. The supplemental salary provided for by this act shall be in lieu of any and all other sums to be paid from the general funds of the county as provided by any local act or general act of local application. Provided further that all compensation presently received from the general funds of the county shall continue until the benefits provided by this act shall become due and payable, but in no event to be less than the salary presently received from the county general fund.'"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Baker	Givhan	McLain	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 149, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	McLain	Pierce	
Branyon	Gilmore	Malone	Shelby	
Carr	Givhan	Noonan	Vacca	
Cook	Harris	O'Bannon	Weaver	
Dominick	Hawkins	Owen	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 287. To fix and prescribe the salary of the tax collector in each county having a population of 600,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a revocable temporary permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; to provide for the automatic termination of permits granted hereunder; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 577, to-wit:

COMMITTEE AMENDMENT TO H. B. 577

Amend H. B. 577 by striking Section 2 and Section 3 in their entirety and by adding the following new Section 2 and renumbering the remaining sections:

"Section 2. The Alabama Alcoholic Beverage Control Board may, in its discretion, grant permits to licensed retailers to sell or dispense draft or keg beer or malt beverages, the provisions of Code of Alabama 1940, Title 29, Section 34 to the contrary notwithstanding, anywhere within any county wherein said Board is authorized to issue to a Civic Center Authority a liquor license which includes the authority to sell or dispense draft or keg beer or malt beverages as set forth in Section 1 above."

On motion of Mr. Bailes, said amendment was laid on the table.

Mr. Dominick offered the following substitute for the Bill, H. B. 577, to-wit:

SUBSTITUTE FOR H. B. 577

A BILL
TO BE ENTITLED
AN ACT

To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature, or to any licensed retailer in any county in which a civic center is located, a revocable permit to sell or dispense draft or keg beer or malt beverages.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Alcoholic Beverage Control Board may in its discretion grant to any civic center authority to which the Board may have theretofore issued or may simultaneously therewith issue a civic center liquor license under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a revocable temporary permit entitling such civic center authority to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; and the Board may revoke any such temporary permit so granted if, in the judgment of the Board, such sale or dispensing of draft or keg beer or malt beverages is prejudicial to the welfare, health, peace and safety of the people of the community wherein the civic center is located or of the State.

Section 2. The Alabama Alcoholic Beverage Control Board may, in its discretion, grant permits to licensed retailers to sell or dispense draft or keg beer or malt beverages, the provisions of Code of Alabama 1940, Title 29, Section 24 to the contrary notwithstanding, anywhere within any county wherein said Board is authorized to issue to a civic center authority a liquor license which includes the authority to sell or dispense draft or keg beer or malt beverages as set forth in Section 1 above.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Which was adopted.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Fine	Lindsey	Owen
Baker	Foshee	Littleton	Pelham
Branyon	Givhan	Malone	Register
Cook	Harris	Melton	Vacca
Dominick	Horne	Noonan	Weaver
Dozier	Jones	O'Bannon	Wilson
Edington	King		

Nays:

Messrs.:	Bailes	Gilmore	Hawkins
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—3

And said Bill, H. B. 577, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Edington	Lindsey	O'Bannon
Bailes	Foshee	Littleton	Pelham
Branyon	Givhan	Lybrand	Register
Carr	Harris	Malone	Shelby
Clark	Horne	Melton	Vacca
Cook	Jones	Noonan	Wilson
Dominick	King		

—25

Nays: Messrs.: Gilmore, Hawkins

—2

The Bill:

H. 649. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 649, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 649

Amend Section 1 of House Bill 649 by deleting the figures "\$800.00" and substituting in lieu thereof the figures "\$666.00".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Gilmore	McLain	Pierce	
Carr	Harris	Melton	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	King			—25

Nays: —0

And said Bill, H. B. 649, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Cook	Hawkins	Melton	Wilder	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1167. To apply only in counties in the state having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	Littleton
Baker	Edington	Horne	Lybrand
Carr	Fine	Jones	Malone
Clark	Foshee	King	Melton
Cook	Givhan	Lindsey	O'Bannon

Pelham	Shelby	Wilder	Wilson	
Pierce	Weaver			—25

Nays: —0

The Bill:

H. 836. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 858. To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Baker	Givhan	Lybrand	Shelby	
Carr	Hawkins	Malone	Vacca	
Clark	Horne	Melton	Weaver	
Cook	Jones	O'Bannon	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 873. To further amend Section 4.04 of Act No. 452, Regular Session 1955, as amended, providing a Mayor-Council form of government for all cities having a population of more than 300,000 inhabitants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Register	
Branyon	Gilmore	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Dozier	Littleton			—25

Nays: —0

The Bill:

H. 900. To provide retirement allowances for elected officials and former elected officials and former employees who are or have been elected officials of all municipalities of the state having a population of 300,000 or more according to the last and subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	McLain	Pierce	
Baker	Givhan	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 694. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction or otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Givhan	McLain
Bailes	Edington	Hawkins	Melton
Baker	Fine	Horne	Noonan
Carr	Foshee	King	O'Bannon
Cook	Gilmore	Lybrand	Owen

Pelham	Register	Vacca	Wilson	
Pierce	Shelby			—25

Nays:				—0
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The Bill:

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 781, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 781

Amend Section 1 of House Bill 781 by deleting the words and figures "twenty four thousand and no/100 Dollars (\$24,000.00)" and inserting in lieu thereof the following words and figures "twenty three thousand one hundred eighty Dollars (\$23,180.00)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:				—0
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And said Bill, H. B. 781, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:				—0
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The Bill:

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 782, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 782

Amend Section 1 of House Bill 782 by deleting the following words and figures "twenty four thousand and no/100 dollars (\$24,000.00)" and inserting in lieu thereof the following words and figures "twenty three thousand one hundred eighty and no/100 dollars (\$23,180.00)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Register	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Dozier	Littleton			—25

Nays: —0

And said Bill, H. B. 782, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Register	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Dozier	Littleton			—25

Nays: —0

The Bill:

H. 785. To amend Section 3.07 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, p. 1004) as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 785, to-wit:

COMMITTEE AMENDMENT TO H. 785

Amend the title of H. 785 by inserting in said title immediately after the words, "SECTION 3.07", the words, "AND SECTION 3.05".

Further amend said H. 785 by adding immediately after Section 1. the following:

"Section 2. That Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census, be and said Section 3.05 is hereby amended to read as follows:

"Section 3.05. Compensation. The Council shall receive such salary which shall be effective on such date as the Council may by resolution or ordinance prescribe; provided, however, no Councilman, other than the President of the Council, shall receive a salary in excess of Sixty-Nine Hundred Dollars (\$6,900) per annum. The Council may provide by ordinance or resolution for the Office of the President of the Council compensation in addition to the compensation such President will be entitled to receive as a councilman, which additional compensation shall not exceed the additional amount of Twenty-Four Hundred Dollars (\$2,400) per annum, making the total maximum compensation which a member of the Council may receive while serving as President thereof Ninety-Three Hundred Dollars (\$9,300) per annum. Such salary shall be payable in monthly installments at the end of each month, said installments to be paid at the same rate for any portion of the month during which each such councilman shall hold office at the rate provided."

"Section 3. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

And said Bill, H. B. 785, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 787. To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 787, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 787

Amend Section 2 of House Bill 787 by deleting the words and figures "sixteen thousand four hundred (\$16,400.00)" and inserting in lieu thereof the following words and figures "thirteen thousand three hundred (\$13,300.00)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Baker	Givhan	McLain	Register	
Branyon	Hawkins	Malone	Vacca	
Cook	Jones	Melton	Weaver	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

And said Bill, H. B. 787, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Baker	Givhan	McLain	Register	
Branyon	Hawkins	Malone	Vacca	
Cook	Jones	Melton	Weaver	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 819, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 819

Amend H. B. 819 by renumbering Section 2 as Section 3 and substitute a new Section 2 to read as follows:

"Section 2. That Section 4 of Act No. 547 Regular Session 1965 be amended to read as follows:

"Section 4. There is hereby established in the County a public corporation for the purposes hereinafter specified, which corporation shall be vested with the powers conferred upon it by this act. The said

public corporation is at times hereinafter referred to as "the Authority".

"Subject to the conditions and qualifications hereinafter stated, the name of the said corporation shall be "Civic Center Authority of the Cities and County of _____ County" (In the blank space will be inserted the name of the County). The Board of Directors of the Authority may choose some name other than that above specified at any time it elects to do so; provided, however, that if the Board of Directors chooses any other name there shall be filed for record in the office of the Probate Judge of the County a copy of the resolution of the Board of Directors stating the name adopted by the Authority, which resolution shall be followed by a certificate signed by the Chairman of the Board of Directors stating the date on which the resolution was adopted and stating that the copy of the resolution preceding said certificate is a true and correct copy of the resolution adopted by the Board of Directors. The term "Legislative Electoral College", as used in this Section, shall mean that group of legislators who shall elect the elective members of the Board of Directors of the Authority, which group of legislators shall consist of the following: Each member of the House of Representatives of the Legislature of Alabama from that representative district in which the County is located and each member of the State Senate from that senatorial district in which the County is situated.

"The affairs of the Authority shall be managed and controlled by a Board of Directors consisting of nine members. One of said members shall be the mayor or chief executive officer of the largest municipality in the county; at least two additional of said members shall be resident citizens of the largest municipality in the county; one of said members shall be the President or Chairman of the governing body of the county; and none of said members shall be a member of the Legislative Electoral College. The remaining members shall be elected in the manner hereinafter prescribed; provided, however, that if there shall be a branch court house in the County, one of the members of the Board shall be a resident of the area served by such branch court house. The Chairman of the Board of Directors shall be elected by said Board after all members of the Board shall have been elected and qualified as such.

"Within thirty days after this act, as amended, becomes applicable to the County the Mayor of the county seat and the President or Chairman of the governing body of the County shall address a letter, signed by them jointly in their respective official capacities, to each member of the Legislative Electoral College requesting that the Legislative Electoral College elect those members of the Board of Directors of the Authority to be elected by the Legislative Electoral College. As soon as practical after the members of the Legislative Electoral College receive the said letters, the Legislative Electoral College shall elect seven members of the Board of Directors of the Authority. If the legislative delegation has a chairman, said chairman shall send written notice to the members of the Legislative Electoral College other than himself, notifying them of the time and place of the meeting to be held for the purpose of electing the members of the Board of Directors to be elected by the Legislative Electoral College, which time shall be not less than six days subsequent to the date on which the Chairman of the Legislative Delegation transmits said written notice to the members of the Legislative Delegation belonging to the Legislative Electoral College. If the Legislative Delegation has no chairman, then the Senator of the senatorial district in which the County is situated shall give said written notice to the members of the legislative delegation. If there is more than one Senator from the County, then that Senator who has served the longest period in the Senate shall give the said notice; and if there is

more than one Senator from the County and no Senator has seniority over the other Senator or Senators, then the oldest Senator shall give said notice. The Legislative Electoral College may elect the members of the Board of Directors to be elected by it either at the initial meeting held for that purpose or at some later meeting, provided, however, that if the election is at a later meeting, the time and place of such later meeting shall be fixed by a majority vote of the Legislative Electoral College at a meeting regularly called, or notice of the time and place of such later meeting shall be given in the manner herein prescribed for giving the notice of the initial meeting of the Legislative Electoral College. The election by the Legislative Electoral College shall be by a majority vote of the Senators present and a majority vote of the members of the House of Representatives present. To be elected as a member of the Board of Directors, a person must receive both the vote of a majority of the Senators present and also the vote of a majority of the House members present. Two members of the Board of Directors of the Authority elected by the Legislative Electoral College shall serve for a term of two years, two members of the Board of Directors of the Authority elected by the Legislative Electoral College shall serve for a term of three years, and three members of the Board of Directors of the Authority elected by the Legislature Electoral College shall serve for a term of four years, as fixed by the Legislative Electoral College, which terms shall commence from the October 1 closest to the date on which they are elected. In the event that seven members of the Board of Directors were not initially elected or the terms of office of such members are not fixed by the Legislative Electoral College, a meeting shall be called in the same manner as hereinabove provided to elect the required additional member or members and to fix the terms of office of all elected members.

“The person who under the terms hereof is to give notice of meeting of the Legislative Electoral College shall notify the Mayor or chief executive officer of the largest municipality in the county and the President or Chairman of the governing body of the County whom the Legislative Electoral College elected to serve on the Board of Directors of the Authority.

“When the Mayor or chief executive officer of the largest municipality in the county and the President or Chairman of the governing body of the County shall have been notified of the election of the members of the Board of Directors to be elected by the Legislative Electoral College, the said Mayor and the said President or Chairman shall by letter signed by them jointly notify the members of the Board of Directors elected by the Legislative Electoral College of the time and place of the first meeting of the Board of Directors of the Authority. The Board of Directors shall fix the time and place at which they shall meet for the purpose of electing a Chairman of the Board; and the said members shall give such notice as is deemed appropriate by them of the time and place of said meeting.

“The Board of Directors shall elect a Chairman of the Board, and he shall serve as Chairman until his term as a member of the Board, which he is serving at the time of his election as Chairman, expires. The Chairman shall preside at all meetings of the Board of Directors and the Chairman shall have a vote the same as any other member of the Board of Directors.

“No person shall be elected as a member of the Board of Directors of the Authority unless he is a qualified elector of the County. Not more than one member of the Board of Directors elected by the Legislative Electoral College or by the Directors shall hold any public office; provided that this restriction shall not apply to the first members so elected.

"The members of the said Board of Directors shall serve without compensation except that they shall be reimbursed for actual expenses incurred in and about the performance of their duties hereunder.

"In case a directorship held by an elected director becomes vacant during his term his successor shall be elected in the same manner in which he was elected. The successor shall be deemed to be elected for the remainder of the term during which the vacancy occurred; provided, however, that if a person is elected to any vacant directorship during the last six months of any term of such directorship, he shall be deemed elected for the remainder of such term and for the next succeeding term of such directorship. In the event the Legislative Electoral College shall fail for any reason to elect within sixty days after this Act, as amended, becomes applicable to the County the members of the Board of Directors, which this act provides said Electoral College shall elect, then in that event the two ex officio members of the Board (they being the Mayor or chief executive officer of the largest municipality in the county and the President or Chairman of the governing body of the County) and any other member or members of the Board of Directors theretofore elected shall elect such members of the Board of Directors to fill the directorship which the electoral college fails to fill. In the event a vacancy on the Board of Directors occurs which is to be filled by the Legislative Electoral College and the Legislative Electoral College fails for any reason to fill said vacancy within thirty days from the date of the occurrence of said vacancy, the remaining members of the Board of Directors shall elect a member of the Board to fill said vacancy."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Lybrand	Pierce
Branyon	Givhan	Malone	Register
Carr	Hawkins	Melton	Vacca
Cook	Horne	O'Bannon	Weaver
Dominick	Jones	Owen	Wilder
Edington	King		

—25

Nays:

—0

The Standing Committee on Local Legislation No. 2 then reported the following amendment to the Bill, H. B. 819, as amended, to-wit:

COMMITTEE AMENDMENT TO H. 819, AS AMENDED

Amend H. 819 by adding as the last paragraph of Section 5 as set forth in said H. 819, the following:

"No member of the Board of Directors shall be interested, directly or indirectly, in any contract for work, material or services, or the profits therefrom to be furnished or performed for the Authority if such member has, directly or indirectly more than a ten percent (10%) interest in any business, firm or corporation, or profits thereof, furnishing or providing such work, materials or services."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Bailes	Branyon	Carr
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Cook	Hawkins	Malone	Pierce	
Dominick	Horne	Melton	Register	
Edington	Jones	O'Bannon	Vacca	
Foshee	King	Owen	Weaver	
Gilmore	Lindsey	Pelham	Wilder	
Givhan	Lybrand			—25
<i>Nays:</i>				—0

And said Bill, H. B. 819, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25
<i>Nays:</i>				—0

The Bill:

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 868, to-wit:

COMMITTEE AMENDMENT TO H. B. 868

Amend H. 868 by deleting in Section 1 thereof the words and figures "\$28,000 per annum" and substitute in lieu thereof the words and figures, "\$21,500 per annum".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Givhan	Melton	Vacca	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25
<i>Nays:</i>				—0

And said Bill, H. B. 868, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Littleton	Pelham
Baker	Foshee	Lybrand	Register
Carr	Gilmore	McLain	Shelby
Cook	Givhan	Melton	Vacca
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 993, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 993

Amend Section 1 of House Bill 993 by deleting the rods and figures "twenty four thousand dollars (\$24,000.00)" and inserting in lieu thereof the following words and figures "twenty three thousand one hundred eighty dollars (\$23,180.00)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Fine	Littleton	Pelham
Baker	Foshee	McLain	Pierce
Carr	Gilmore	Malone	Vacca
Clark	Harris	Melton	Weaver
Cook	Hawkins	O'Bannon	Wilder
Dominick	Jones		

—25

Nays:

—0

And said Bill, H. B. 993, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Fine	Littleton	Pelham
Baker	Foshee	McLain	Pierce
Carr	Gilmore	Malone	Vacca
Clark	Harris	Melton	Weaver
Cook	Hawkins	O'Bannon	Wilder
Dominick	Jones		

—25

Nays:

—0

The Bill:

H. 997. To amend Act No. 993 (H. 1089) enacted at the 1971 regu-

lar session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 997, to-wit:

COMMITTEE AMENDMENT TO H. B. 997

Amend H. B. 997 by deleting the period at the end of subsection (9) of Section 8 and substitute in lieu thereof the following:

“, subject to the regulations and approval of the Alabama Public Service Commission.”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Clark	Hawkins	McLain	Vacca	
Cook	Horne	Melton	Weaver	
Dominick	Jones	Noonan	Wilder	
Edington	King			—25

Nays: —0

And said Bill, H. B. 997, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Clark	Hawkins	McLain	Vacca	
Cook	Horne	Melton	Weaver	
Dominick	Jones	Noonan	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1053, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 1053

Amend Section 1 of House Bill 1053 by deleting the words and figures “nineteen thousand and 00/100 dollars (\$19,000.00)” and insert-

ing in lieu thereof the following words and figures "eighteen thousand three hundred dollars (\$18,300.00)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Harris	McLain	Register	
Branyon	Hawkins	Melton	Vacca	
Cook	Gilmore	O'Bannon	Weaver	
Dominick	Givhan	Owen	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 1053, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Melton	Vacca	
Cook	Harris	O'Bannon	Weaver	
Dominick	Hawkins	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1083. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1083, to-wit:

COMMITTEE AMENDMENT TO H. B. 1083

Amend Section 1 of House Bill 1083 by deleting the words and figures "thirty two thousand dollars (\$32,000.00)" and "thirty one thousand dollars (\$31,000.00)" and inserting in lieu thereof the following words and figures "twenty eight thousand one hundred dollars (\$28,100.00)" and "twenty seven thousand one hundred dollars (\$27,100.00)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Cook	Dozier
Bailes	Carr	Dominick	Edington

Fine	King	Noonan	Register
Gilmore	Lindsey	O'Bannon	Vacca
Givhan	Littleton	Owen	Weaver
Hawkins	McLain	Pelham	Wilder
Jones	Melton		

—25

Nays: —0

And said Bill, H. B. 1083, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Littleton	Pelham
Baker	Gilmore	McLain	Register
Carr	Givhan	Melton	Vacca
Cook	Hawkins	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	King		

—25

Nays: —0

The Bill:

H. 893. To further amend Section 3 of Act No. 695, H. 1072, Regular Session 1951 (Acts 1951, p. 1198), as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Foshee	Lybrand	Pierce
Baker	Gilmore	McLain	Shelby
Carr	Harris	Malone	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dominick	King		

—25

Nays: —0

The Bill:

H. 1328. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in Marengo and Sumter Counties and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Baker	Foshee	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1574. Providing for expense allowances for the assessor and for the tax collector of counties having populations of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Clark	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edgington	Lindsey			—25

Nays: —0

The Bill:

H. 1393. To provide that the county governing body, the governing body of any municipality, and the governing body of any hospital in all counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, wherein there is no established emergency ambulance service, shall be authorized and empowered to execute contracts with ambulance services in any adjacent counties to provide for ambulance service to such counties, the municipalities and hospitals thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edgington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Foshee	McLain	Register	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Carr	Gilmore	Malone	Vacca	
Clark	Harris	Melton	Weaver	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	Littleton	Pelham	
Baker	Fine	McLain	Register	
Branyon	Foshee	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Cook	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1605. To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Baker	Foshee	Littleton	Pelham	
Branyon	Givhan	Lybrand	Register	
Carr	Harris	McLain	Vacca	
Cook	Hawkins	Melton	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1606. To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Wilder	
Cook	Hawkins	Melton	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1604. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Baker	Harris	Lybrand	Vacca	
Carr	Hawkins	Malone	Weaver	
Clark	Horne	Melton	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1602. Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Gilmore	McLain	Register	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1446. Relating to counties having a population of not less than 52,500 nor more than 54,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	Malone	Vacca	
Clark	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1205. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	McLain	Register	
Branyon	Gilmore	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilson	
Cook	Jones			—25

Nays: —0

The Bill:

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county".

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Register	
Baker	Harris	McLain	Vacca	
Carr	Hawkins	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Cook	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1344. Proposing an amendment to the Constitution of Alabama relative to the Buttahatchee River watershed Area.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Givhan	Melton	Shelby	
Clark	Horne	Noonan	Vacca	
Cook	Jones	O'Bannon	Weaver	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 752. Relating to judicial circuits with more than 15 judges, further providing for the appointment of court reporters.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, S. B. 752, to-wit:

COMMITTEE AMENDMENT TO S. B. 752

Amend Section 1 of S. 752 by deleting the words and figures "fifteen (15)" and substitute in lieu thereof, "fourteen (14)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hawkins	Malone	Vacca	
Cook	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

And said Bill, S. B. 752, as thus amended, was then read a third

time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hawkins	Malone	Vacca	
Cook	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

H. 784. To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last or any subsequent federal census.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 784, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 784

Amend Section 1 of House Bill 784 by deleting the figure "\$21,945.00" and inserting in lieu thereof the figure "\$19,950.00".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Register	
Baker	Gilmore	McLain	Vacca	
Branyon	Givhan	Malone	Weaver	
Cook	Hawkins	Melton	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	King			—25

Nays:

—0

And said Bill, H. B. 784, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Register	
Baker	Gilmore	McLain	Vacca	
Branyon	Givhan	Malone	Weaver	
Cook	Hawkins	Melton	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Baker	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Register	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pelham	
Baker	Foshee	Malone	Register	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	Malone	Pierce	
Baker	Givhan	Melton	Shelby	
Carr	Horne	Noonan	Vacca	
Clark	Jones	O'Bannon	Weaver	
Cook	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 1632. To alter, rearrange and extend the boundary lines and

corporate limits of the City of Fayette, in Fayette County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Givhan	McLain	Register	
Branyon	Harris	Malone	Vacca	
Clark	Horne	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1518. Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Baker	Givhan	McLain	Vacca	
Carr	Hawkins	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1379. Relating to the eleventh judicial circuit; providing an expense allowance for all judges of such circuit; providing for a county salary supplement for such judges at the beginning of their next term of office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Clark	Hawkins	Malone	Weaver	
Cook	Horne	Melton	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1610. To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide

that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the Probate Judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Lybrand	Register
Baker	Foshee	Malone	Shelby
Carr	Givhan	Melton	Weaver
Clark	Harris	Noonan	Wilder
Cook	Hawkins	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1424. To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a non-profit ambulance service.

REGULAR SESSION

1931

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Fine	Lybrand	Register	
Branyon	Foshee	Malone	Shelby	
Carr	Gilmore	Melton	Vacca	
Cook	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1531. To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by the public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1666. To authorize and permit flea markets to remain open on Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal decennial census, provided such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Branyon	Harris	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election or appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

was taken up.

Mr. Clark offered the following amendment to the Bill, H. B. 1270, to-wit:

AMENDMENT TO H. B. 1270

On page 9, Section 12(c), strike said Section 12(c) in its entirety and place in lieu thereof the following:

(c) The Judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Henry County. If the Judge is otherwise licensed to practice law, he may so practice in Henry County, Alabama, and shall otherwise be subject to the same penalties and obligations as Circuit Judges, while in his official capacity as Judge. Any vacancy occurring in the office of Judge shall be filled by appointment as provided in Section 158 of the Constitution of the State of Alabama.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Baker	Harris	Melton	Vacca	
Branyon	Horne	Noonan	Weaver	
Clark	Jones	Owen	Wilder	
Dominick	King	Pelham	Wilson	
Dozier	Lindsey			—25

Nays:

—0

And said Bill, H. B. 1270, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Baker	Harris	Melton	Vacca	
Branyon	Horne	Noonan	Weaver	
Clark	Jones	Owen	Wilder	
Dominick	King	Pelham	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

was taken up.

Mr. Clark offered the following amendment to the Bill, H. B. 1265, to-wit:

AMENDMENT TO H. B. 1265

In the tenth line of Section 2, change the figure of \$4800.00 to \$5,000.00.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Baker	Harris	Malone	Vacca	
Branyon	Horne	Noonan	Weaver	
Clark	Jones	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

And said Bill, H. B. 1265, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Baker	Harris	Malone	Vacca	
Branyon	Horne	Noonan	Weaver	
Clark	Jones	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama. was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1680, to-wit:

COMMITTEE AMENDMENT TO H. 1680

In Section 1, strike out in its entirety the last paragraph thereof and substitute in lieu thereof the following:

The above described parcels are intended to be a description of and to embrace the West half ($W\frac{1}{2}$) of the $SW\frac{1}{4}$ of $NE\frac{1}{4}$; the $S\frac{1}{2}$ of $S\frac{1}{2}$ of the $E\frac{1}{2}$ of the $SW\frac{1}{4}$ of $NE\frac{1}{4}$; the $S\frac{1}{2}$ of $S\frac{1}{2}$ of the $SE\frac{1}{4}$ of $NE\frac{1}{4}$; and the $N\frac{1}{2}$ of $N\frac{1}{2}$ of $N\frac{1}{2}$ of the $SE\frac{1}{4}$, all in Section 2, T5N, R7E. Also, the $S\frac{1}{2}$ of $S\frac{1}{2}$ of the $SE\frac{1}{4}$ of Section 3, T5N, R7E and the $N\frac{1}{2}$ of the $NE\frac{1}{4}$ of Section 10, T5N, R7E, all in Monroe County, Alabama.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Register	
Branyon	Givhan	Lybrand	Vacca	
Clark	Harris	McLain	Weaver	
Cook	Horne	Melton	Wilson	
Dominick	Jones			—25

Nays:

—0

And said Bill, H. B. 1680, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Register	
Branyon	Givhan	Lybrand	Vacca	
Clark	Harris	McLain	Weaver	
Cook	Horne	Melton	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, term, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1551, to-wit:

SUBSTITUTE FOR H. B. 1551

A BILL TO BE ENTITLED AN ACT

To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County Commission, or other like governing body, may, as hereinafter provided, create and establish a county computer department. Said county computer department is hereinafter referred to in this Act as the department.

Section 2. The words "computer equipment" as used in this Act shall be defined to mean any mechanical equipment, by whatever name called, whether it be a brand name, trade name, nickname or common name, as may be purchased, leased or otherwise obtained by the Madison County Commission or other governing body and assigned to such department.

Section 3. If the county commission, or other like governing body, elects to create and establish the department as provided for in this Act, it shall appoint a director of the department and any vacancy in the office of the director of said department because of death, resignation or otherwise, shall be filled by a majority vote of the appointing body.

Section 4. The salary of the director of the department shall be fixed by the county personnel board and shall be payable in equal monthly installments out of the General Fund of the county by warrant properly drawn on said fund. The director of the department shall be a county officer, shall have an official seal of office and shall maintain his permanent office in the county courthouse of the county, or any annex thereof or other place designated in said county by the county governing body.

Section 5. Suitable office space, and all stationery, equipment, supplies and postage necessary for the conduct of the office, shall be furnished by the governing body of the county to the director of the department.

Section 6. The director of the department may also appoint a sufficient number of clerks, including a chief clerk, and assistants, so that the duties of the office can be properly performed. Their compensation shall be fixed in accordance with the pay plan promulgated by the

Madison County Commission and County Personnel Board and shall be paid out of the General Fund of the county in the same manner as the salaries of other county employees are paid.

Section 7. It shall be the duty of the director of the department to do all work for the county on computer equipment which may be assigned to him by the county governing body for any county office, department, agency or board, by whatever name called, or any other office in the county courthouse as it may be directed to do by the county governing body, and to do any related work for all those agencies, boards, departments or offices as hereinabove referred to, as may be requested, which can be done or accomplished on computer equipment.

Section 8. It is the intent and purpose of this Act to provide a more convenient and efficient method of handling and dealing with the voluminous amount of work done by various county departments, agencies, boards and offices, which must be done or can be more efficiently done on or by computer equipment, hereinabove defined, so as to render better service to the people of said county.

Section 9. The provisions of this Act shall immediately apply and become effective in Madison County upon adoption by the county commission or other like governing body of the county of a resolution whereby it elects to come within the provisions of this Act; provided, however, that said governing body may, if it deems it advisable for the purpose of properly establishing said department and allowing the personnel to plan and become familiar with the work and equipment thereof, expend such funds as are necessary to set up said department and pay the director and personnel during said period but delay the actual date when said department is officially put into operation within the county to perform the duties and exercise the powers herein provided.

Section 10. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Gilmore	Littleton	Register
Carr	Harris	McLain	Shelby
Clark	Hawkins	Melton	Vacca
Cook	Horne	Noonan	Wilder
Dominick	Jones		

—25

Nays:

—0

And said Bill, H. B. 1551, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Gilmore	Littleton	Register	
Carr	Harris	McLain	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Horne	Noonan	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1528. To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	Lybrand	Shelby	
Carr	Gilmore	Malone	Vacca	
Cook	Givhan	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of Registrars in counties having populations of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Branyon	Harris	Lybrand	Shelby	
Carr	Hawkins	Malone	Vacca	
Clark	Horne	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1569. Relating to all Counties in the State of Alabama having a population of not less than 90,000 nor more than 100,000 according

to the most recent federal decennial Census; relieving the Clerk and Register of the Circuit Court of all such Counties of the duty of subscribing for, taking, filing, causing to be bound, and kept in their respective offices, copies of daily and weekly Newspapers published in the County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Givhan	Littleton	Shelby
Carr	Harris	Lybrand	Vacca
Clark	Hawkins	Malone	Weaver
Cook	Horne	Noonan	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the acts by the county commission, board of revenue, or like governing body of such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	Lybrand	Shelby
Carr	Givhan	Malone	Vacca
Cook	Harris	Noonan	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	McLain	Pierce
Branyon	Gilmore	Malone	Shelby
Clark	Harris	Melton	Vacca
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1565. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; authorizing the county governing body to provide further for the compensation of the judge of law and equity court in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Givhan	McLain	Register	
Carr	Harris	Malone	Shelby	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1644. Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Givhan	McLain	Pierce	
Carr	Harris	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1614. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, In Equity.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Melton	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1477. To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Baker	Foshee	McLain	Register	
Branyon	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1479. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Bailes	Foshee	McLain	Register	
Baker	Givhan	Malone	Shelby	
Branyon	Harris	Noonan	Weaver	
Carr	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1267. To amend Act No. 1171, Section 3, fixing the salary of Deputy District Attorney No. 1 and Deputy District Attorney No. 2 of Henry County, Alabama, and providing for payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Baker	Fine	Littleton	Pelham	
Carr	Foshee	McLain	Pierce	
Clark	Givhan	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1269. Relating to Counties having a population of not less than 13,200 nor more than 13,800 according to the most recent Federal decennial census; to grant an allowance to the Circuit Clerk of such Counties for clerical assistance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Foshee	McLain	Register	
Carr	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1266. Relating to counties having a population of not less than 13,200 nor more than 13,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Gilmore	McLain	Register	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Melton	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1411, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 1411

Amend Section 2, H. B. 1411, by deleting the period at the end thereof and substituting in lieu thereof the following:

“(d) When an expenditure is neither expressly prohibited nor permitted by statute but is clearly in the best interest of the county; in which instances the chairman shall by affidavit, and in addition to the other requirements of this act, state that such expenditure is clearly in the best interest of the county.”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Baker	Gilmore	Malone	Vacca	
Branyon	Harris	Noonan	Weaver	
Carr	Hawkins	O'Bannon	Wilder	
Clark	Jones	Owen	Wilson	
Cook	King			—25

Nays:

—0

And said Bill, H. B. 1411, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Baker	Gilmore	Malone	Vacca	
Branyon	Harris	Noonan	Weaver	
Carr	Hawkins	O'Bannon	Wilder	
Clark	Jones	Owen	Wilson	
Cook	King			—25

Nays:

—0

The Bill:

H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act. No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Foshee	McLain	Register	
Carr	Gilmore	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1643. Relating to the office of the sheriff in Blount County; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Baker	Harris	Melton	Vacca	
Carr	Horne	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1451. To amend section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Baker	Givhan	McLain	Pierce	
Carr	Hawkins	Malone	Shelby	
Clark	Horne	Noonan	Vacca	
Cook	Jones	O'Bannon	Wilder	
Dominick	King			—25

Nays: —0

The Bill:

H. 1115. Relating to counties having a population of not less than 16,245 no more than 16,300 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled

to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Gilmore	McLain	Register	
Branyon	Harris	Malone	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Weaver	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 1453. To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Givhan	Lybrand	Pierce	
Branyon	Harris	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	King			—25

Nays: —0

The Bill:

H. 1116. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Harris	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	Malone	Pierce	
Branyon	Gilmore	Melton	Register	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, provided that each such grocery store shall first obtain a special license from the license issuing officer of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Fine	Lindsey	Pierce	
Baker	Givhan	Littleton	Register	
Branyon	Harris	Lybrand	Vacca	
Carr	Hawkins	Malone	Weaver	
Cook	Horne	Noonan	Wilder	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1348. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Lybrand	Pierce	
Carr	Givhan	Malone	Shelby	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1642. To provide for additional compensation and method of payment of the Register In Equity of the Circuit Court of counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Gilmore	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Branyon	Foshee	Littleton	Pelham	
Carr	Gilmore	McLain	Register	
Cook	Givhan	Malone	Shelby	
Dominick	Hawkins	Melton	Weaver	
Dozier	Horne	Noonan	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Fine	McLain	Pierce	
Baker	Foshee	Malone	Shelby	
Branyon	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Vacca	
Cook	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

was taken up.

Mr. Baker offered the following amendment to the Bill, H. B. 865, to-wit:

AMENDMENT TO H. B. 865

Amend H. B. 865 by striking the amount and figure \$200.00 wherever it appears and by substituting therefor the amount and figure \$100.00.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Givhan	Malone	Register	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

And said Bill, H. B. 865, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Givhan	Malone	Register	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 752. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority

and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Pierce	
Carr	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Gilmore	Melton	Register	
Carr	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	McLain
Bailes	Dozier	Horne	Malone
Baker	Foshee	King	Melton
Carr	Gilmore	Lindsey	Noonan
Cook	Givhan	Littleton	O'Bannon

1950

JOURNAL OF THE SENATE, 1973

Pelham	Shelby	Weaver	Wilson	
Register	Vacca			—25

Nays: —0

The Bill:

H. 1639. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1377. Relating to the eleventh judicial circuit; providing for the annual compensation of the chief deputy district attorney of such circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Dominick	Hawkins	Melton	Weaver	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1520. Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Melton	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; providing further for the expense allowances of members of the county commission in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Foshee	Malone	Register	
Carr	Gilmore	Melton	Shelby	
Cook	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1325. Relating to all counties having a population of not less than 24,000 nor more than 24,800 according to the most recent Federal Decennial Census; to provide for expenses to preprint motor vehicle registration assessment sheets and tag receipts not to exceed \$2,500.00 in any one year subject to the approval and appropriation by the County Governing Body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Pierce	
Branyon	Harris	Malone	Register	
Clark	Hawkins	Melton	Weaver	
Cook	Horne	Noonan	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1326. To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Baker	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce
Bailes	Gilmore	McLain	Register
Baker	Givhan	Malone	Vacca
Clark	Hawkins	Melton	Weaver
Cook	Jones	Noonan	Wilder
Dominick	Lindsey	Owen	Wilson
Dozier	Littleton		

—25

Nays:

—0

The Bill:

H. 1374. To abolish the drawing of special venires in capital cases in the Thirty-Third Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham
Bailes	Givhan	Lybrand	Pierce
Baker	Harris	Malone	Shelby
Carr	Hawkins	Melton	Vacca
Clark	Horne	Noonan	Wilder
Cook	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1373. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-Third Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham
Bailes	Foshee	McLain	Register
Baker	Givhan	Malone	Shelby
Carr	Harris	Melton	Weaver
Clark	Hawkins	O'Bannon	Wilder
Cook	Jones	Owen	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 1519. Relating to all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal

decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	O'Bannon	
Bailes	Gilmore	Littleton	Pierce	
Baker	Givhan	Lybrand	Register	
Carr	Hawkins	McLain	Vacca	
Clark	Horne	Melton	Weaver	
Cook	Jones	Noonan	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1246. To amend Section 4 of Act No. 1789, H. 1900, Regular Session 1971 (Acts 1971, p. 2957), which act provides for the selection of the Superintendent of Education of Geneva County, so as to further provide for his traveling expense; providing retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Gilmore	Lybrand	Pierce	
Carr	Harris	McLain	Register	
Clark	Hawkins	Melton	Weaver	
Cook	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1372. Relating to judicial procedure in the Thirty-Third Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Baker	Foshee	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Jones			—25

Nays:

—0

The Bill:

H. 1423. Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	O'Bannon	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	Malone	Vacca	
Carr	Harris	Melton	Weaver	
Clark	Jones	Noonan	Wilson	
Cook	King			—25

Nays:

—0

The Bill:

H. 1422. Relating to Pike County, to provide that the Sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1421. Relating to Pike County authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	O'Bannon	
Bailes	Fine	Littleton	Pelham	
Baker	<u>Foshee</u>	Lybrand	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Hawkins	Melton	Weaver	
Clark	Horne	Noonan	Wilson	
Cook	King			—25

Nays:

—0

The Bill:

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Branyon	Harris	McLain	Shelby	
Clark	Hawkins	Melton	Vacca	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1527. Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain vaults or be so equipped as to properly provide for the storage of said documents; and to provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Fine	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Clark	Givhan	Melton	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1343. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Buttahatchee River Development Authority, for the development of the Buttahatchee River, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Buttahatchee River watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests

in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion and Lamar Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce
Bailes	Gilmore	McLain	Register
Branyon	Givhan	Malone	Vacca
Clark	Harris	Melton	Weaver
Cook	Horne	Noonan	Wilder
Dominick	King	Owen	Wilson
Dozier	Lindsey		

—25

Nays:

—0

The Bill:

H. 1493. Relating to the expense allowance of the members of any civil service commission in any city which has a civil service commission in any county having a population of 95,000 to 115,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	Malone	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	O'Bannon	Weaver	
Cook	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1494. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Baker	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	Malone	Shelby	
Cook	Givhan	Melton	Vacca	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1608. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Baker	Gilmore	Lybrand	Pierce	
Branyon	Harris	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Horne	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1492. Providing each judge in the Seventh Judicial Circuit an annual travel expense allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Harris	Melton	Vacca	
Clark	Horne	Noonan	Weaver	
Dominick	Jones	Owen	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 23, 1973, through October 1, 1973.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Gilmore	Littleton	Pelham	
Branyon	Givhan	McLain	Pierce	
Carr	Harris	Malone	Shelby	
Cook	Horne	Melton	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1042. To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, p. 217) entitled "To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Melton	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1474, to-wit:

COMMITTEE AMENDMENT TO H. B. 1474

Amend H. B. 1474 by adding after Section 1 the following Section and re-number the following sections:

"Section 2. The Northeast quarter of the Southwest quarter and the West one-half of the Southeast quarter (NE¼ of SW¼ and W½ of SE¼) Section 27, Township 20 South, Range 3 West, Shelby County, Alabama.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Givhan	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 1474, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Givhan	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1478, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 1478

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries and corporate limits

of the City of Alabaster so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster, so as to incorporate certain territory as described herein, to-wit:

Begin at the Southwest corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Township 20 South, Range 2 West, Shelby County, Alabama; thence run in an Easterly direction along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ to the Southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run in a Northerly direction one-half mile more or less to the Southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 31; thence run in an Easterly direction one-half mile more or less to the Southeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 31; thence run one half mile more or less to the Northeast corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 31; thence continue in a Northerly direction along the East line of the Southwest Quarter of the Southeast Quarter of Section 30, Township 20 South, Range 2 West and continuing in a Northerly direction along the East line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 30 and continuing in a Northerly direction along the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 30 to its intersection with the center line of the Atlantic Coast Line Railroad; thence run in a Southwesterly and Northwesterly direction along the Center line of Atlantic Coast Line Railroad for a distance of 5,800 feet more or less to its interesection with the North line of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 2 West; thence run in a Westerly direction along the North line of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 2 West to the Northwest corner of said SE $\frac{1}{4}$; thence run in a Southerly direction along the West line of said SE $\frac{1}{4}$ one-half mile more or less to the Southwest corner of said SE $\frac{1}{4}$ of Section 25; thence run in a Westerly direction along the North line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 20 South, Range 3 West 660 feet more or less to its intersection with the North-South center line of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run in a Southerly direction along the North-South center line of said $\frac{1}{4}$ - $\frac{1}{4}$ to its intersection with the South line of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run in a Westerly direction along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ a distance of 660 feet more or less to the Northeast corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 36; thence run in a Southerly direction along the North-South center line of the NW $\frac{1}{4}$ and continuing along the North-South center line of the SW $\frac{1}{4}$ of said Section 36 three fourths of one mile more or less to the Southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 36; thence continue in a Southerly direction along the North-South center line of the NW $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West one-half mile more or less to the Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1; thence continue in a Southerly direction along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ a distance of 660 feet more or less to the East-West center line of the said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1; thence run in an Easterly direction along the East-West center line of said Section 1, said line also being the existing City Limit line of Alabaster a distance of 1,200 feet more or less to its intersection with the center line of Interstate Highway I-65; thence run in a Southwesterly and Southerly direction along the center line of said Interstate Highway I-65 to its intersection with the Center line of U. S. Highway 31 situated in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1; thence run in a Northwest-erly direction along the center line of said U. S. Highway 31 to its inter- section with the West line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 1; thence run in a Southerly direction along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ to the Southwest corner of said $\frac{1}{4}$ - $\frac{1}{4}$; thence run in an Easterly direction along the South line of said Section 1 three fourths of one mile more or less to the Southeast corner of said Section 1; thence run in a Northerly

direction along the East line of said Section 1 one mile more or less to the point of beginning.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included with the corporate limits of the City of Alabaster, voting in a referendum election to be held on a day designated by the Probate Judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the Probate Judge of Shelby County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama, 1940 as recompiled for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided however, no resolution of the municipal governing body need be made or filed with the Probate Judge, nor need a plat of map of the territory to be annexed be filed with the Probate Judge. The question shall be on the adoption of Act No. of the 1973 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the City of Alabaster in Shelby County, Alabama. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes". If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The City of Alabaster shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes", the provisions of this Act shall become operative immediately. If the majority are "no", this Act shall have no further effect.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Gilmore	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

And said Bill, H. B. 1478, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Gilmore	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1611. Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Colbert County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Melton	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1529. To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Register	
Branyon	Gilmore	Melton	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

H. 1370. Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Clark	Dozier
Baker	Carr	Dominick	Edington

REGULAR SESSION

1963

Foshee	Lindsey	O'Bannon	Shelby	
Givhan	Littleton	Owen	Vacca	
Harris	McLain	Pelham	Weaver	
Horne	Malone	Pierce	Wilder	
Jones	Melton			—25

Nays: —0

The Bill:

H. 1564. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of the District Attorney.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Baker	Harris	Malone	Shelby	
Carr	Hawkins	Melton	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 1490. Relating to all counties having a population of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Givhan	Lybrand	Pierce	
Carr	Harris	Malone	Shelby	
Clark	Horne	Melton	Vacca	
Cook	Jones	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Cook	Dozier
Bailes	Clark	Dominick	Edington

Fine	Jones	Noonan	Shelby
Foshee	Lindsey	Owen	Vacca
Gilmore	Lybrand	Pelham	Wilder
Harris	McLain	Pierce	Wilson
Hawkins	Melton		

—25

Nays:

—0

The Bill:

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the second Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen
Bailes	Foshee	Lybrand	Pelham
Baker	Givhan	McLain	Pierce
Branyon	Harris	Melton	Shelby
Carr	Horne	Noonan	Vacca
Clark	Jones	O'Bannon	Wilder
Cook	King		

—25

Nays:

—0

The Bill:

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham
Bailes	Gilmore	McLain	Pierce
Branyon	Hawkins	Malone	Register
Clark	Horne	Melton	Vacca
Dominick	Jones	O'Bannon	Weaver
Dozier	King	Owen	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Edington	Givhan
Bailes	Cook	Fine	Harris
Branyon	Dozier	Foshee	Horne

Jones	McLain	Pelham	Vacca	
Lindsey	Malone	Register	Wilder	
Littleton	Noonan	Shelby	Wilson	
Lybrand	O'Bannon			—25
Nays:				—0

The Bill:

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Baker	Fine	Lybrand	Register	
Carr	Foshee	Malone	Vacca	
Clark	Gilmore	Melton	Weaver	
Cook	Harris	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1408. To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Commission on Education, and shall provide all funds necessary to pay the costs of such garbage collection.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Register	
Carr	Givhan	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Foshee	Lybrand	Pierce
Baker	Gilmore	Malone	Shelby
Branyon	Harris	Melton	Vacca
Clark	Horne	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham
Bailes	Fine	Lybrand	Pierce
Baker	Foshee	Malone	Shelby
Carr	Gilmore	Melton	Vacca
Clark	Harris	Noonan	Wilder
Dominick	Horne	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Register
Clark	Harris	Melton	Vacca
Cook	Horne	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Register	
Baker	Gilmore	Malone	Shelby	
Branyon	Harris	Melton	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 1607. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Branyon	Gilmore	Malone	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 973. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; authorizing the governing body of any such counties or any municipality within such counties to provide recreational facilities and services; to provide for the creation, establishment, maintenance, and support of a recreation board in any such county or municipality; and to provide for the duties and powers of such boards.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Harris	Melton	Vacca	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 1006. To provide further for the selection of textbooks and instructional materials for use in public schools in counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Baker	Fine	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Harris	Malone	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1330. Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	McLain	Register	
Branyon	Harris	Malone	Shelby	
Carr	Horne	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1512. To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham	
Bailes	Fine	McLain	Register	
Baker	Foshee	Malone	Shelby	
Branyon	Gilmore	Noonan	Weaver	
Carr	Hawkins	O'Bannon	Wilder	
Clark	Horne	Owen	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

H. 1634. Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the pre-

cinct taking applications for voter registration; to provide further for the powers, duties and compensation of such special registrars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Baker	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Fine	McLain	Pierce	
Baker	Foshee	Malone	Shelby	
Branyon	Gilmore	Noonan	Vacca	
Clark	Harris	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1641. To amend Section 2 of Act No. 500, S. 423, Regular Ses-

sion 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing The Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to \$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Baker	Fine	Littleton	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1681. Relating to counties having populations of not less than 27,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Baker	Gilmore	Malone	Shelby	
Branyon	Harris	Melton	Vacca	
Carr	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

was taken up.

Mr. Wilson offered the following amendment to the Bill, H. B. 1633, to-wit:

AMENDMENT TO HOUSE BILL 1633

Amend House Bill 1633, Section 2, by deleting the last sentence of the first paragraph of said section and inserting in lieu thereof the following:

"The Assistant District Attorney shall receive \$12,500 per annum as total compensation for all duties, from the general funds of Walker County in equal bi-monthly installments, \$7,200 of which shall be paid from state funds in the same manner as other salaries are paid."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

And said Bill, H. B. 1633, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

was taken up.

Mr. Wilson offered the following amendment to the Bill, H. B. 1640, to-wit:

AMENDMENT TO H. B. 1640

Amend House Bill 1640, Section 2, by deleting the last sentence of the first paragraph of said section and inserting in lieu thereof the following:

"The Assistant District Attorney shall receive \$12,500 per annum as total compensation for all duties, from the general funds of Walker County in equal bi-monthly installments, \$7,200 of which shall be paid from state funds in the same manner as other salaries are paid."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

And said Bill, H. B. 1640, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1499. Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within such county, so as to require the address and polling place upon the list of petitioners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hawkins	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1648. To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Littleton	Pelham
Baker	Foshee	McLain	Register
Clark	Gilmore	Melton	Vacca
Cook	Givhan	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1440. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Madison County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Register
Baker	Gilmore	McLain	Shelby
Branyon	Givhan	Melton	Weaver
Carr	Hawkins	Noonan	Wilder
Cook	Jones	Owen	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 1434. Regulating further the compensation and meeting places of members of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pierce
Baker	Foshee	Lybrand	Register
Carr	Gilmore	Malone	Shelby
Clark	Harris	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1719. To authorize the establishment of branch banks in Hale County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Givhan	McLain	Pierce
Branyon	Harris	Malone	Register
Clark	Horne	Melton	Shelby
Cook	Jones	O'Bannon	Weaver
Dozier	King	Owen	Wilder
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1498. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the states sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for violations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Baker	Givhan	Lybrand	Shelby
Branyon	Harris	McLain	Vacca
Clark	Horne	Melton	Wilder
Dominick	Jones	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1609. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Foshee	Lybrand	Pierce
Branyon	Harris	Malone	Register
Clark	Hawkins	Melton	Shelby
Cook	Jones	O'Bannon	Vacca
Dozier	King	Owen	Wilder
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1183. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants, according to the most recent federal decennial census; amending Section 1 of Act No. 706, H. 989, Regular Session 1967, (Acts 1967, p. 1537), as amended, which section regulates the compensation of the county superintendent of education in said counties, so as to further regulate the compensation of said superintendent of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Gilmore	Lybrand	Register	
Clark	Givhan	Malone	Vacca	
Dominick	Harris	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1548. To apply in counties having a population of not less than 90,000 nor more than 100,000; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences, seminars, meetings, and Bar Association meetings for the purpose of instruction and Continuing Legal Education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Baker	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1463. Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Edington	Gilmore
Baker	Cook	Fine	Givhan
Carr	Dozier	Foshee	Harris

Hawkins	Lybrand	Owen	Vacca	
Jones	McLain	Pierce	Weaver	
Lindsey	Melton	Shelby	Wilson	
Littleton	O'Bannon			—25

Nays: —0

The Bill:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 150,000 nor more than 180,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1444. Relating to counties having a population of not less than 34,875 nor more than 36,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Shelby	
Branyon	Givhan	Malone	Weaver	
Carr	Hawkins	Melton	Wilder	
Clark	Jones	Noonan	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 1698. To amend Sections 2, 4, 6, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent

federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

was taken up.

Mr. Owen offered the following amendment to the Bill, H. B. 1698, to-wit:

AMENDMENT TO H. B. 1698

Amend H. B. No. 1698 as follows:

1. Amend title to include the figure "9" after the following: To amend Sections 2, 4, 6,

2. After Section 6 add the following:

"Section 9. (a) The fee collected by such court in each civil case shall be \$5.00."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Baker	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Givhan	Malone	Vacca	
Cook	Hawkins	Melton	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

And said Bill, H. B. 1698, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Baker	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Givhan	Malone	Vacca	
Cook	Hawkins	Melton	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 686. To amend Act No. 1405, S. 1058, Regular Session 1971 (Acts 1971, p 2373), which act provides for levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; provides for the administration of the act and the collection and the distribution of the proceeds of the tax; and prescribes penalties for violation, in counties having a population of not less than 52,500 nor more than 54,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Branyon	Foshee	McLain	Register	
Carr	Gilmore	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Register	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal

decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	Lybrand	Register	
Carr	Harris	McLain	Vacca	
Clark	Hawkins	Malone	Wilder	
Cook	Jones	Noonan	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	Malone	Register	
Baker	Gilmore	Melton	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Jones	Pelham	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

S. 777. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing an additional expense allowance for the county solicitor of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Clark	Harris	Malone	Shelby	
Dominick	Hawkins	Melton	Weaver	
Dozier	Jones	Noonan	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

S. 778. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing for an additional clerk hire allowance for the offices of probate court within such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Baker	Fine	Lindsey	Pierce
Carr	Foshee	Lybrand	Register
Clark	Givhan	Malone	Shelby
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 787. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and to provide the means and manner for the payment of the same, so as to provide further for such compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Baker	Fine	Littleton	Pierce
Branyon	Foshee	McLain	Shelby
Carr	Gilmore	Malone	Weaver
Cook	Harris	Melton	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Lybrand	Register
Baker	Foshee	McLain	Shelby
Branyon	Givhan	Melton	Weaver
Clark	Harris	O'Bannon	Wilder
Cook	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pierce	
Baker	Harris	Lybrand	Register	
Carr	Hawkins	McLain	Shelby	
Clark	Horne	Melton	Vacca	
Cook	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Clark	Harris	Malone	Shelby	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

S. 801. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Gilmore
Bailes	Clark	Edington	Givhan
Baker	Dominick	Fine	Harris

Horne	Malone	Pelham	Vacca	
King	Melton	Pierce	Wilder	
Littleton	O'Bannon	Shelby	Wilson	
McLain	Owen			—25
<i>Nays:</i>				—0

The Bill:

S. 826. Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County; repealing conflicting laws; and prescribing the effective date of this Act.

was taken up.

Mr. Register offered the following amendment to the Bill, S. B. 826, to-wit:

AMENDMENT TO S. 826

In the title, strike out the next to the last semi-colon and insert in lieu thereof the following:

, providing for the duties of the office of license inspector of Dale County temporarily to be performed by the tax collector of Dale County and thereafter to be performed by the county revenue commissioner created by this Act;

Also, strike out in their entirety Sections 1, 2, and 7 and substitute in lieu thereof the following:

Section 1. On and after the first Monday after the second Tuesday in January, 1979, or if a vacancy occurs in either the office of tax assessor or the office of tax collector of Dale County before such date, then immediately upon the occurrence of such vacancy there shall be the office of county revenue commissioner in Dale County. If such office is established upon the occurrence of a vacancy in either the office of tax assessor or tax collector, then the tax assessor or tax collector, as the case may be, remaining in office shall be the county revenue commissioner for the remainder of the term for which he was elected tax assessor or tax collector, as the case may be. A revenue commissioner shall be elected in the general election in November 1978 and in the general election every four years thereafter. He shall serve for a term of office of four years from the first Monday after the second Tuesday in January next succeeding his election and until his successor is similarly elected, qualified and takes office.

Section 2. The county revenue commissioner shall do and perform all acts, duties, and functions required by law to be performed either by the tax assessor or by the tax collector of the county relative to the assessment of property for ad valorem taxation, the collection of such taxes, the keeping of records and the making of reports concerning assessments for and the collection of taxes. He shall also do and perform all acts, duties, and functions required by law of the license inspector of Dale County relative to the collection of delinquent privilege license taxes. The office of license inspector is hereby abolished as of the date on which this Act is approved at the referendum election held pursuant to Section 11 hereof. From such date until the office of

county revenue commissioner is established the duties of the license inspector shall be performed by the tax collector; and such tax collector shall be entitled to collect the same fees for the performance of such duties as are prescribed by law for the same duties when performed by the license inspector.

Section 7. The offices of tax assessor and tax collector of Dale County are hereby abolished effective on the first Monday after the second Tuesday in January 1979, or on such earlier date as is prescribed in Section 1 hereof if a vacancy occurs in either the office of tax assessor or tax collector; and the office of license inspector is abolished as of the date of the referendum election held pursuant to Section 11 hereof, if the operation of this Act is approved at such referendum.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Baker	Fine	Littleton	Pelham
Branyon	Foshee	McLain	Register
Carr	Givhan	Malone	Vacca
Clark	Harris	Melton	Weaver
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Jones		

—25

Nays: —0

And said Bill, S. B. 826, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Foshee	Lindsey	Pelham
Baker	Gilmore	Littleton	Register
Carr	Harris	Lybrand	Vacca
Clark	Hawkins	McLain	Wilder
Cook	Horne	Melton	Wilson
Dominick	Jones		

—25

Nays: —0

The Bill:

S. 828. Relating to Dale County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Dale County.

was taken up.

Mr. Register offered the following amendment to the Bill, S. B. 828, to-wit:

AMENDMENT TO S. B. 828

Strike out in its entirety Section 15 and insert in lieu thereof the following:

Section 15. This Act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Dale County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the same day as the next primary election of state and county officers following final passage of this Act. Notice of the election shall be given by the judge of probate of Dale County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows:

"Do you favor the local law authorizing the construction, repair and maintenance of county roads and bridges under the county unit system? Yes () No ()." If a majority of the votes cast at the election are affirmative votes, this Act shall be in full force and effect immediately thereafter. If a majority of the votes cast are in the negative, the Act shall have no further effect. The judge of probate of Dale County shall certify the results of the election to the Secretary of State immediately after the returns have been certified.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Baker	Gilmore	Littleton	Pelham
Branyon	Givhan	McLain	Register
Carr	Harris	Malone	Vacca
Clark	Horne	Melton	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	King		

—25

Nays:

—0

And said Bill, S. B. 828, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Baker	Gilmore	Littleton	Pelham
Branyon	Givhan	McLain	Register
Carr	Harris	Malone	Vacca
Clark	Horne	Melton	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

S. 790. To create the office of Supernumerary Probate Judge in each county in Alabama having a population not less than 90,000 and not more than 100,000, according to the most recent federal decennial census or any succeeding federal census; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of compensation or salary of any county supernumerary probate judge.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 790, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 790

A BILL TO BE ENTITLED AN ACT

Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; setting the compensation of supernumerary probate judges and providing for a supplement from the general funds of such counties under certain circumstances.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Section 2. Persons who have served as probate judges in such counties and who are in all manner and respects entitled to status as supernumerary probate judges under the general law of the state and who have elected to become supernumerary probate judges pursuant to such general law shall be entitled to receive total compensation in such amounts as shall be set from time to time for supernumerary circuit judges. Each such supernumerary probate judge shall be paid as a supplement from the general funds of the county in addition to all sums received from state funds such funds, if any, as shall be necessary so that his total compensation for services as a supernumerary probate judge shall be in an amount equal to that received by persons who have elected to become supernumerary circuit judges under the general law of the state.

Section 3. All laws or parts of laws in conflict herewith are repealed.

Section 4. Should any part of this Act be declared unconstitutional, the part which remains shall not be affected.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen
Bailes	Fine	Littleton	Pierce
Baker	Foshee	Lybrand	Shelby
Branyon	Givhan	Malone	Vacca
Carr	Harris	Noonan	Weaver
Clark	Horne	O'Bannon	Wilson
Dominick	Jones		

—25

Nays:

—0

And said Bill, S. B. 790, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Baker	Givhan	Lybrand	Shelby
Branyon	Harris	Malone	Vacca
Carr	Hawkins	O'Bannon	Wilder
Cook	Jones	Owen	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

S. 803. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Baker	Foshee	Littleton	Pelham
Branyon	Gilmore	McLain	Pierce
Carr	Harris	Malone	Shelby
Clark	Hawkins	Melton	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

S. 804. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen
Baker	Foshee	Lybrand	Pelham
Branyon	Gilmore	McLain	Pierce
Clark	Givhan	Malone	Shelby
Cook	Harris	Melton	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

S. 807. To amend Section 1 of Act No. 37, H. 66 Organizational, Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended which applies in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Fine	Littleton	Pierce
Baker	Foshee	McLain	Shelby
Carr	Givhan	Malone	Vacca
Clark	Harris	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dominick	Jones		

—25

Nays:

—0

The Bill:

S. 809. To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," so as to correct certain discrepancies in the description of the boundary lines.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Baker	Foshee	McLain	Pierce
Carr	Hawkins	Malone	Register
Clark	Horne	Melton	Shelby
Dominick	Jones	O'Bannon	Vacca
Dozier	King	Owen	Wilder
Edington	Lindsey		

—25

Nays:

—0

The Bill:

S. 810. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Givhan	McLain	Shelby
Cook	Hawkins	Malone	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 812. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Baker	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Harris	McLain	Shelby
Cook	Hawkins	Malone	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Baker	Givhan	Lybrand	Shelby
Branyon	Harris	McLain	Vacca
Carr	Hawkins	Melton	Weaver
Cook	Horne	O'Bannon	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

S. 816. Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Clark	Harris	McLain	Vacca	
Cook	Hawkins	Melton	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	McLain	Register	
Baker	Givhan	Melton	Shelby	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Pelham	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	McLain	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

S. 822. Relating to all counties having populations of not less than 16,350 nor more than 16,650, providing an allowance for secretarial assistance for the register in equity under certain conditions.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Baker	Fine	Lindsey	Pelham	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Vacca	
Cook	Hawkins	Malone	Wilder	
Dominick	Horne	Melton	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 825. To authorize the Baldwin County governing body to appoint a Baldwin County Historical Commission to prescribe the powers and duties of and grant funds to said commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Givhan	Littleton
Bailes	Dozier	Harris	Lybrand
Baker	Edington	Hawkins	Malone
Carr	Fine	Jones	Melton
Clark	Foshee	King	Noonan

Owen	Register	Weaver	Wilder	
Pierce	Shelby			—25
<i>Nays:</i>				—0

The Bill:

S. 830. To amend Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah County from membership of such Authority at the end of current term of office of said senator.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 831. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for the creation, establishment, operation, management and purchase of equipment of and for an animal shelter in such counties and for the appointment of a humane officer and necessary assistants.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Foshee	Lindsey	Pelham	
Baker	Givhan	Littleton	Pierce	
Branyon	Harris	Lybrand	Shelby	
Carr	Hawkins	Malone	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	Jones			—25

Nays: —0

The Bill:

S. 848. To provide for supplementing the salary or compensation paid to retired or supernumerary Circuit Judge having more than eighteen (18) years continuous service in office, as a Circuit Judge in the 31st Judicial Circuit of Alabama, consisting of Colbert County, and to provide an office in the Courthouse for such Judge.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon
Bailes	Gilmore	Littleton	Pierce
Baker	Givhan	Lybrand	Shelby
Branyon	Harris	McLain	Vacca
Carr	Hawkins	Malone	Weaver
Cook	Horne	Melton	Wilson
Dominick	Jones		

—25

Nays:

—0

The Bill:

S. 832. Relating to all counties having populations of not less than 38,100 nor more than 40,500; abolishing the office of county solicitor or deputy district attorney in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Baker	Foshee	McLain	Pierce
Carr	Givhan	Malone	Register
Clark	Harris	Melton	Shelby
Cook	Horne	O'Bannon	Vacca
Dozier	Jones	Owen	Wilder
Edington	King		

—25

Nays:

—0

The Bill:

S. 833. To provide additional compensation for each official court reporter of the Thirty-eighth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Baker	Foshee	Lybrand	Pierce
Carr	Harris	Malone	Shelby
Cook	Horne	Melton	Vacca
Dominick	Jones	Noonan	Weaver
Dozier	King	O'Bannon	Wilder
Edington	Lindsey		

—25

Nays:

—0

The Bill:

S. 834. To establish in the Thirty-eighth Judicial Circuit the office of clerk-secretary to each circuit judge of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary

out of the general funds of the county comprising the Thirty-eighth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Littleton	Pelham	
Carr	Gilmore	McLain	Pierce	
Clark	Givhan	Malone	Shelby	
Cook	Harris	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 836. To amend Act 249, S. 171, Regular Session 1973, which provides additional compensation for the official court reporters of the ninth judicial circuit, so as to change the method of payment.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Vacca	
Clark	Hawkins	Malone	Weaver	
Dominick	Horne	Melton	Wilder	
Dozier	King	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 837. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide for clerk hire for the tax assessor and tax collector of such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Dominick	Horne	Noonan	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 838. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the probate judge of such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Lindsey	Pierce	
Baker	Fine	Lybrand	Register	
Branyon	Foshee	Malone	Shelby	
Carr	Gilmore	Melton	Weaver	
Cook	Harris	Noonan	Wilder	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

S. 839. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the members of the governing body of such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Foshee	Lindsey	Pierce	
Baker	Givhan	Lybrand	Register	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Horne	Noonan	Wilder	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Littleton
Bailes	Edington	Horne	Lybrand
Carr	Foshee	Jones	McLain
Clark	Gilmore	King	Malone
Cook	Givhan	Lindsey	Noonan

REGULAR SESSION

1995

Pelham	Shelby	Wilder	Wilson	
Register	Vacca			—25
Nays:				—0

The Bill:

H. 1509. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Weaver	
Clark	Harris	Malone	Wilder	
Cook	Horne	Noonan	Wilson	
Dominick	Jones			—25
Nays:				—0

The Bill:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hawkins	Malone	Vacca	
Cook	Horne	Noonan	Wilder	
Dozier	King	O'Bannon	Wilson	
Edington	Lindsey			—25
Nays:				—0

The Bill:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Register	
Baker	Givhan	McLain	Shelby	
Branyon	Harris	Melton	Vacca	
Carr	Horne	Noonan	Weaver	
Cook	Jones	Owen	Wilder	
Dominick	King	Pelham	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Vacca	
Clark	Harris	Melton	Weaver	
Dominick	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 302. Relating to Chambers County; providing further for the compensation of members of the board of registrars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Register	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Horne	Noonan	Weaver	
Cook	King	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 303. To repeal Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), relating to counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census, which act abolishes the Court of County Commission of such counties and creates in lieu thereof a County Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Clark	Horne	Melton	Weaver	
Dominick	King	O'Bannon	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

S. 835. Relating to all counties having populations of not less than 38,100 nor more than 40,500, authorizing the respective governing bodies of such counties to designate and set up certain projects relating to construction of roads and bridges therein.

was taken up.

Mr. Baker offered the following amendment to the Bill, S. B. 835, to-wit:

AMENDMENT TO S. B. 835

Amend S. B. 835 as follows:

At the end of Section 2. a., change the "." to a "," and add the following:

"on all roads in the county highway system, exclusive of state and federal roads and highways."

Also at the end of Section 2. b., change the "." to a "," and add the following:

"on all roads in the county highway system, exclusive of state and federal roads and highways."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Pierce	
Carr	Givhan	Malone	Register	
Clark	Harris	Melton	Shelby	
Cook	Horne	Noonan	Vacca	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

And said Bill, S. B. 835, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Cook	Dozier
Baker	Clark	Dominick	Edington

Fine	Jones	Melton	Pierce
Foshee	Lindsey	O'Bannon	Shelby
Harris	Littleton	Owen	Weaver
Hawkins	Lybrand	Pelham	Wilder
Horne	Malone		

—25

Nays: —0

The Bill:

H. 304. Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Littleton	Pelham
Baker	Foshee	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Clark	Givhan	Melton	Weaver
Cook	Harris	Noonan	Wilson
Dozier	Horne		

—25

Nays: —0

The Bill:

H. 305. Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	McLain	Register
Bailes	Gilmore	Malone	Shelby
Branyon	Givhan	Noonan	Vacca
Carr	Harris	O'Bannon	Weaver
Cook	Horne	Pelham	Wilder
Dominick	King	Pierce	Wilson
Edington	Littleton		

—25

Nays: —0

The Bill:

H. 306. To repeal Act No. 1696, H. 2309, Regular Session 1971 (Acts 1971, p. 2856), an act relating to all counties having populations of not less than 35,000 nor more than 38,000, according to the last federal

decennial census; relieving the chief clerk of the probate judge of any duties as purchasing agent for the county, and authorizing the governing body to appoint another purchasing agent.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population of more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1442, to-wit:

COMMITTEE AMENDMENT TO H. B. 1442

Amend Section 4 of H. B. 1442 by deleting the words "on or before" and substitute in lieu thereof the words "and not more than thirty days after".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Standing Committee on Local Legislation No. 2 then reported the following amendment to the Bill, H. B. 1442, as amended, to-wit:

COMMITTEE AMENDMENT TO H. B. 1442, AS AMENDED

Amend H. B. 1442 by adding a new Section 5 and renumbering the present Section 5 as Section 6 and also renumber the remaining sections. Section 5 to read as follows:

"Section 5. If the Tax Collector does not have any ad valorem taxes due any municipality or the ad valorem taxes due any municipality

is insufficient to pay the amounts due under the formula set out in Section 3, then the balance due under the said formula shall be a priority claim (subject, however, to any claims having priority under or pursuant to any provision of the Alabama or United States Constitution), against any and all other funds of any such municipality and shall be paid by such municipality directly to the Board Treasurer."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Harris	Melton	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Standing Committee on Local Legislation No. 2 then reported the following amendment to the Bill, H. B. 1442, as amended, to-wit:

COMMITTEE AMENDMENT TO H. B. 1442, AS AMENDED

Amend H. B. 1442 by deleting in Section 3 (a) and 3 (b) thereof the words, "not less than".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

And said Bill, H. B. 1442, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Pierce	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1636. To further amend Sections 1, 2, 3 and 6 of Act No. 22

of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions, Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses and the Senate amendment to the bill:

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL 301

We, the committee of conference appointed to reconcile the differences between the two houses concerning the Bill, HB 301, have met and considered the matter referred and beg leave to report as follows:

Substitute House Bill 301 is attached.

CHARLES S. SNELL

CHARLES H. ADAMS

BOWEN BRASSELL

Conferees On The Part Of The House

DON HORNE

OBIE J. LITTLETON

E. C. FOSHEE

Conferees On The Part Of The Senate

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 301

A BILL
TO BE ENTITLED
AN ACT

Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, and duties; naming the Judge of Probate to also serve as the Judge of said Court; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Courts of Chambers County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Inferior Court Created. There is hereby established in Chambers County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Civil and Criminal Court of Chambers County, Alabama." It shall be in lieu of the County Court and the Juvenile Court of said county which are hereby abolished.

Section 2. Jurisdiction. (a) Except as provided in subsection (b) following, the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment, or actions in the nature of action in ejectment), cognizable before a circuit court, or a county court, or a juvenile court, or justices of the peace, immediately before the abolition thereof, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to punish contempts by fine not exceeding fifty dollars (\$50.00), and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with

felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds one thousand dollars (\$1,000.00), exclusive of interest and attorney fees, nor take cognizance of any matter or proceeding in equity.

Section 3. Judge. (a) The judge of the Court herein established shall be the Probate Judge of Chambers County, who shall perform the duties of both the Probate Court and the civil and criminal court of Chambers County.

(b) The judge shall have authority to (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, habeas corpus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat returnable to a court of proper jurisdiction; (3) administer oaths and take acknowledgements; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace, immediately before the abolition thereof, including that of magistrates on preliminary examinations. In exercising jurisdiction in juvenile court cases the provisions in Chapter 7, Title 13 of the Code of Alabama 1940, and amendments, shall apply.

(c) The judge shall keep an office in such place or places as may be provided by the Chambers County Commission. His office shall be suitably equipped, furnished, and provided at the expense of the county with a court clerk, one or more deputy clerks, and such office supplies and stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court.

(d) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 4. Sessions. (a) There shall be a LaFayette Division and a Valley Division of the Court. The LaFayette Division shall include and be composed of the following Commissioners' Districts in Chambers County, viz: Districts one (1) and two (2); and the Valley Division shall include and be composed of the following Commissioners' Districts, viz: Districts three (3), four (4), and five (5). The sessions of the Court of the Valley Division shall be held at some place in the City of Lanett or in the police jurisdiction thereof, and the sessions of the LaFayette Division of the Court shall be held at the courthouse in the City of LaFayette. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the second and fourth Monday of each month there shall be held a session of the court for the handling, trial and disposition of all cases therein pending in the Valley Division, which shall continue as long as necessary to dispose of the docket. On the first and third Monday of each Month, there shall be held a session of the court for the LaFayette Division. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that as to any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise provided in this Act must be brought

in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

(b) The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court except in juvenile court proceedings where attendance shall be within the discretion of the judge.

Section 5. Practice and Procedure. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process as required by law shall issue, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite.

Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts; provided, however, that in cases where the amount in controversy does not exceed \$300.00, exclusive of interest and attorney fees, witness fees and allowances shall be those heretofore prescribed for justice courts immediately before the abolition thereof.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed three hundred dollars (\$300.00), exclusive of interest and attorney fees, the same as heretofore taxed in justice courts immediately before the abolition thereof; (2) in every other civil action at law, the same as in the circuit court. In every criminal case, the same as in county courts, including fees as provided by Section 86 repealed of Title 11 of Code 1940, except that fees for cases provided for hereinafter under Section 8 (b) the fees shall be as there stated.

(c) A special trial tax, in addition to any other trial tax provided by law, of one dollar (\$1.00) shall be collected in each civil action at law, if the sum in controversy, exclusive of interest and attorney fees, does not exceed three hundred dollars (\$300.00), and in every other civil action at law, and in every criminal case, a special trial tax, in addition to any other trial tax provided by law, of two dollars (\$2.00) shall be collected, for the use of the county in purchasing and maintaining a county law library.

(d) No costs shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Chambers County, Alabama, one-half (50%) of all other fines collected in this court shall be paid

into the general fund of Chambers County, Alabama, for the use of the county.

Section 8. Criminal Prosecutions. (a) Prosecutions may be commenced in such court upon the sworn complaint made to the judge or the clerk of the court, who shall issue a warrant of arrest if either is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Chambers County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama, 1940, Title 36, shall be returnable to the Civil and Criminal Court of Chambers County, and shall be there tried. Except as to the special trial tax herein provided, the court costs in such cases shall be the same as provided by law.

(c) The Assistant District Attorney of Chambers County shall be prosecuting attorney of the Civil and Criminal Court of Chambers County and shall attend all sessions of said court and do and perform all duties of a prosecuting attorney therein, and in addition shall attend and represent the State at all preliminary hearings therein and shall do and perform all duties required of an Assistant District Attorney by the Code of Alabama, 1940, Title 13, Section 256.

Section 9. Appeals and Certiorari. Any party aggrieved by a judgment, order or ruling of the court may appeal the decision as herein provided. (a) If the case is a civil case, the appeal or certiorari lies to the Circuit Court of Chambers County and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed three hundred dollars (\$300.00), exclusive of interest and attorney fees, the issues shall be made up as provided by Code 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the rules of pleading and practice in the circuit court now in effect, or as hereafter amended. (b) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Chapter 7 of Title 13 of the 1940 Code. (c) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 15, Section 320.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. Clerk. (a) The circuit clerk of Chambers County shall be the clerk of the court herein established. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business, and to employ at county expense such deputy or deputies as he shall determine necessary, subject to the approval of the County Commission or like governing body, who shall be required to make bond as provided by law for circuit clerks. He shall keep a seal, which

shall be the official seal adopted by the court. Before entering upon the performance of his duties as clerk of the Civil and Criminal Court of Chambers County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, execution, commitments and releases; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter, conferred on clerks of county courts; (7) to appoint deputy clerks, subject to approval to the County Commission or like governing body, who shall have the authority to exercise all powers and perform all functions of the clerk.

Section 12. Transfer of Pending Cases. All cases and actions pending in the County Court of Chambers County and in the Juvenile Court of Chambers County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished courts, this court shall have the same power to control and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Any unsatisfied judgments rendered by any Justice of the Peace Court in Chambers County prior to the abolition of said Justice of the Peace Courts may be transferred to the civil dockets of the Civil and Criminal Court of Chambers County, Alabama, by a certified copy of said judgment being filed with the clerk of the court within six (6) months after the effective date of this Act, and the clerk of the court shall make and maintain a docket record and file in each cause as though said judgment was rendered by this court.

Section 13. Severability. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. Repealer. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 15. Effective Date. This Act shall become effective upon the first day of the first month after its approval by the Governor or upon its otherwise becoming a law.

And said bill as thus amended by the Report of the Committee of Conference was again read at length and passed.

And said bill, together with the Report of the Committee of Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Horne, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill,

H. B. 301, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

And said Bill, H. B. 301, as thus amended by the Conference Report, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

BILLS ON THIRD READING RESUMED

The Bill:

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Littleton	Pelham	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint

Resolution and returns same herewith to the Senate:

S. J. R. 82. CHANGING THE NAME OF THE GEORGE C. WALLACE TRADE SCHOOL OF CULLMAN COUNTY.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 331. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

was taken up.

Mr. Pelham offered the following amendment to the Bill, H. B. 331, to-wit:

AMENDMENT TO H. B. 331

Amend H. B. 331 by striking the whole of Section 1, (2) (c), and inserting in lieu thereof the following:

“(c) To the State Mental Health Department:

For operation and maintenance of the State Mental Health Department including the purchase of drugs to medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals,

For the fiscal year ending September 30, 1974..... 34,077,488.00

For the fiscal year ending September 30, 1975..... 33,966,919.00

For operation and maintenance of the State Mental Health Department, conditional upon funds being made available from conditional appropriations from the State General Fund to the Special Mental Health Fund,

For the fiscal year ending September 30, 1974..... 2,000,000.00

For the fiscal year ending September 30, 1975..... 4,000,000.00

Provided, however, that none of the appropriations hereinabove made may be used to pay rent for office space in any new building in Montgomery County except for any office building which may be built under the supervision of the State Building Commission.

For operation and maintenance of Community Mental Health Programs:

For the fiscal year ending September 30, 1974..... 4,000,000.00

For the fiscal year ending September 30, 1975..... 5,000,000.00”

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:
Bailes

Baker
Carr

Clark
Cook

Dominick
Dozier

REGULAR SESSION

2009

Edington	Horne	Melton	Shelby	
Fine	Jones	Noonan	Vacca	
Foshee	Lybrand	Owen	Weaver	
Gilmore	McLain	Pelham	Wilder	
Givhan	Malone	Pierce		—26

Nays: —0

And said Bill, H. B. 331, as thus amended, was then read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—35

Nays: —0

BILL RE-REFERRED

Mr. Baker moved that, in accordance with Senate Rule 50, the Bill, S. B. 406, be removed from the Calendar and re-referred to the Standing Committee on Finance and Taxation, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 406, re-referred to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

was taken up.

Mr. Harris offered the following substitute for the Bill, H. B. 1024, to-wit:

SUBSTITUTE FOR H. B. 1024

A BILL TO BE ENTITLED AN ACT

To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, in addition to all other appropriations out of the General Fund in the State Treasury for the fiscal year ending September 30, 1973 the following:

Section 2.

(a) For transfer to the Department of Agriculture and Industries	12,264.00
(b) For transfer to the Agricultural Center Board.....	1,938.00
(c) For transfer to the Board of Corrections.....	150,000.00
(d) Oil and Gas Board: For other salaries.....	7,996.00
(e) Geological Survey: For other salaries.....	8,723.00
(f) Court of Civil Appeals: For other salaries.....	3,427.00
(g) Board of Pardon and Paroles: For other salaries.....	15,804.00
(h) Departmental Emergency Fund.....	100,000.00
(i) Governor's Emergency Fund.....	125,000.00
(j) Finance Department: Division of Service: Other Expenses	30,000.00
(k) Department of Archives and History: For other salaries.....	3,981.00
(l) Office of the Attorney General: For salaries and other expenses.....	55,700.00

FROM FUNDS OTHER THAN THE GENERAL FUND:

(m) Department of Agriculture and Industries: For other salaries.....	12,264.00
The above appropriation in subsection (m) shall be paid out of the Agricultural Fund.	
(n) Agriculture Center Board: For other salaries.....	1,938.00
The above appropriation in subsection (n) shall be paid out of the Agricultural Center Board Fund.	
(o) Board of Corrections: For other salaries.....	150,000.00
The above appropriation in subsection (o) shall be paid out of the Board of Corrections Fund.	

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham
Bailes	Edington	Littleton	Pierce
Baker	Foshee	Lybrand	Shelby
Branyon	Givhan	McLain	Vacca
Carr	Harris	Melton	Weaver
Clark	Hawkins	Noonan	Wilder
Cook	Horne	Owen	Wilson
Dominick			

Nays:

—28

—0

And said Bill, H. B. 1024, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	Littleton	Pierce
Baker	Foshee	Lybrand	Shelby
Branyon	Givhan	McLain	Vacca
Carr	Harris	Melton	Weaver
Clark	Hawkins	Noonan	Wilder
Cook	Horne	Owen	Wilson
Dozier			

—28

Nays:

—0

The Bill:

H. 803. To amend Sections 38, 39 and 51 of Title 18 of the Code of Alabama 1940, relating to electric cooperatives, so as to provide for the designation of a quorum at all meetings of the members, to provide for the board of trustees of the cooperative, and to provide for the encumbering of the property of the cooperative.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pierce
Bailes	Edington	Littleton	Register
Baker	Fine	Lybrand	Shelby
Branyon	Foshee	McLain	Vacca
Carr	Givhan	Melton	Weaver
Clark	Harris	Noonan	Wilder
Cook	Hawkins	Owen	Wilson
Dominick	Horne	Pelham	

—30

Nays:

—0

The Bill:

H. 977. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 977, to-wit:

COMMITTEE AMENDMENT TO H. B. 977

In Section 1 of the bill strike in its entirety the lines appearing in Section 17, Paragraph 5, Title 51, Code of Alabama 1940, as amended, which reads as follows:

"Crenshaw	30%	15%	15%
Franklin	35%	15%	15%

Lawrence	35%	15%	15%
Winston	35%	15%	15%
Marion	35%	15%	15%”

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Baker	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Clark	Harris	Malone	Weaver
Cook	Hawkins	Melton	Wilder
Dominick	Horne	Noonan	Wilson

—31

Nays:

—0

Mr. Fine then offered the following amendment to the Bill, H. B. 977, as amended, to-wit:

AMENDMENT TO H. B. 977, AS AMENDED

In Section 1 of the bill strike in its entirety the lines appearing in Section 17, paragraph 5, Title 51, Code of Alabama 1940, as amended, which reads as follows:

Fayette	30	15	15
Lamar	30	15	15
Pickens	30	15	15
Greene	30	15	15

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Littleton	Register
Baker	Foshee	Lybrand	Shelby
Branyon	Gilmore	Melton	Vacca
Carr	Givhan	Noonan	Weaver
Clark	Harris	Owen	Wilder
Cook	Hawkins	Pelham	Wilson
Dominick	Jones		

—29

Nays:

—0

Mr. Fine then offered the following amendment to the Bill, H. B. 977, to-wit:

AMENDMENT TO H. B. 977, AS AMENDED

Amend H. B. 977 by adding to Section 5 the following:

Calhoun	30%	25%	15%
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Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Baker	Givhan	Lybrand	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—29

Nays: —0

And said Bill, H. B. 977, as thus amended, was then read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Horne	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington				—32

Nays: —0

The Bill:

S. 670. To propose an amendment to the Constitution of the State of Alabama relative to the office of lieutenant governor.

was taken up.

Mr. Owen offered the following amendment to the Bill, S. B. 670, to-wit:

AMENDMENT TO S. B. 670

Amend Section 2 to read as follows:

"Section 2. An election shall be held on the proposed amendment on the same date as the general election in 1974. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940."

Which was adopted.

Yeas 24; Nays 6.

Yeas:

Messrs.:	Dozier	Hawkins	Malone
Baker	Edington	Horne	Melton
Carr	Fine	King	Noonan
Clark	Foshee	Littleton	Owen
Cook	Givhan	McLain	Pelham

Register Shelby	Vacca	Weaver	Wilder	—24
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Nays:

Messrs.: Bailes	Branyon Jones	Lybrand Pierce	Wilson	—6
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Mr. Dominick then offered the following amendment to the Bill, S. B. 670, as amended, to-wit:

AMENDMENT TO S. B. 670, AS AMENDED

Amend S. B. 670 by deleting the second sentence from "Section 117" of Section 1 of the bill.

On motion of Mr. Owen, said amendment was laid on the table.

Yeas 22; Nays 10.

Yeas:

Messrs.: Baker Carr Clark Dozier Edington	Fine Foshee Givhan Hawkins King Littleton	McLain Malone Melton Noonan Owen Pelham	Register Shelby Vacca Weaver Wilder	—22
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Nays:

Messrs.: Bailes Branyon	Cook Dominick Gilmore	Harris Jones Lybrand	Pierce Wilson	—10
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And said Bill, S. B. 670, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 7.

Yeas:

Messrs.: Bailes Baker Carr Clark Cook Dozier	Edington Fine Foshee Gilmore Givhan Hawkins King	Littleton McLain Malone Melton Noonan Owen	Pelham Register Shelby Vacca Weaver Wilder	—25
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Nays:

Messrs.: Branyon	Dominick Harris	Jones Lybrand	Pierce Wilson	—7
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REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. J. R. 66. Commending the tomato crop in Taylor, Alabama.

Also:

S. 342. To authorize the Division of Marine Resources of the Department of Conservation and Natural Resources to sell or barter for the purpose of establishing fishing reefs in offshore waters of Alabama certain liberty ships now in the custody of said Division for the benefit of the states of Alabama, Mississippi and Florida, creating a commission to oversee and direct the action of the Department of Conservation and Natural Resources under the provisions of this Act.

Also:

S. 400. Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Also:

S. 131. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation.

Also:

S. 173. To permit banks now or hereafter situated in counties having a population of not less than 16,600 nor more than 16,950 according to the last or most recent federal decennial census, to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

S. 236. To authorize any city in any county having a population of not less than 95,000 nor more than 115,000 inhabitants, according to the most recent federal decennial census, to establish, maintain and operate a non-profit ambulance service.

Also:

S. 468. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect the ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the power to levy and collect each year an additional tax of three-fourths of one per centum based upon the value of the property therein as fixed for state taxation, and the further power to increase in the future the rate at which ad valorem taxes are levied providing that any increase is first approved by an act of the Legislature and by a majority vote of the qualified electors in the City of Mountain Brook.

Also:

S. 503. Relating to Etowah County; providing that the governing body of Etowah County may provide for the burial or burning of dead cattle, swine, livestock or other such animals when the owner or custodian of the animal fails to do so.

Also:

S. 504. To amend Section 2 of Act No. 398, H. 876, Regular Session, 1955, (Acts 1955, p. 933), an act relating to Etowah County, creating the

governing body of such county, said Section 2 thereof providing for the election and term of office of the president of such governing body.

Also:

S. 511. Relating to Wilcox County; providing an additional expense allowance for the chairman and members of the Wilcox County Commission or other like governing body.

Also:

S. 524. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of the Tax Collector and or the Tax Assessor of Choctaw County, Alabama.

Also:

S. 529. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Also:

S. 533. To authorize the county governing body in any county having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census to create a county development fund.

Also:

S. 534. Relating to all counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census, providing for an expense allowance for members of the county commission.

Also:

S. 541. Relating to all counties with a population of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to provide an additional expense allowance for the coroner of such counties.

Also:

S. 553. Relating to Monro County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 588. Relating to the DeKalb County Inferior Court; changing the name of this court to DeKalb County District Court.

Also:

S. 589. Relating to DeKalb County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Also:

S. 590. Relating to DeKalb County; to amend Act No. 361, S. 561, Regular Session 1971 (Acts 1971, p. 658), fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Also:

S. 604. To further amend Sections 1 and 2 of Act No. 621, H. 1059, Regular Session 1951 (Acts 1951, P. 1074), as amended, which authorize the circuit clerk of Covington County, Alabama, to employ and to prescribe the duties of a secretarial assistant so as to provide further for additional assistants to the circuit clerk and provide for their compensation.

Also:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

Also:

S. 627. To authorize the governing body of DeKalb County to pay all expenses incurred by the Circuit Court Clerk and Registers in their respective state organizations.

Also:

S. 628. To amend Section 1 of Act No. 359, S. 559, Regular Session 1971 (Acts 1971, p. 657), which Act provides for the compensation of the members and clerk of the jury commission of DeKalb County.

Also:

S. 630. Relating to DeKalb County; fixing the salary of the chief deputy, deputies and other positions of the sheriff's office and providing the method of paying such salaries; and repealing conflicting laws.

Also:

S. 635. To permit banks now or hereafter situated in Choctaw County to establish, maintain or operate branch banks and branch offices within the limits of said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

S. 645. Relating to Marshall County; to provide for the compensation of the Judge of the County Court of Marshall County, Alabama, to take effect upon the expiration of the term of the incumbent Judge of the County Court.

Also:

S. 646. To authorize the Judge of the County Court to permanently transfer, by appropriate entry on the docket sheet any pending suits and proceedings for divorce or separate maintenance, suits for annulment of marriage, and any case or proceedings involving custody and support of children, granting, and enforcement of alimony, and all other domestic and marital matters over which the County Court has concurrent jurisdiction with the Circuit Court of the 27th Judicial Circuit. Such cases to be transferred in the discretion of the Judge of the County Court. METHOD OF TRANSFER.

Also:

S. 648. To authorize and provide for the establishment, maintenance, operation, and financing of a Public Law Library in Marshall

County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel.

Also:

S. 649. Relating to Marshall County; to provide for the payment to the Judge of the County Court for expenses of attending seminars, conferences, schools and payment of dues for memberships in County Judge's Organizations.

Also:

S. 650. Relating to Marshall County: The Circuit Judges of the 27th Judicial Circuit are authorized to appoint not more than two (2) attorneys licensed to practice law in Alabama and are members of the Marshall County Bar Association as Warrant Issuing Magistrates with authority to issue warrants, search warrants and writs of arrest for Marshall County and to provide for their compensation.

Also:

S. 651. To authorize the Circuit Judges of the Circuit Court of Marshall County to appoint bailiffs and to provide for compensation of such bailiffs, to further define duties of bailiff and to authorize the use of such bailiffs by the Judge of the County Court of Marshall County.

Also:

S. 659. To create the office of supernumerary county commissioner in all counties with a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Also:

S. 660. To provide for monthly compensation of the Chairman and Board members of the Rainbow City Gas, Water, and Sewer Board, in Etowah County.

Also:

S. 661. Relating to the 14th judicial circuit, providing a secretary for the circuit judge.

Also:

S. 663. Relating to deputy district attorneys in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census.

Also:

S. 665. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

S. 696. Relating to the Fourteenth Judicial Circuit, providing

further for the salaries of the court reporters of said circuit.

Also:

S. 699. To establish a Civil Service System for the City of Russellville; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purpose of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the compensation and expenses of such board; to guarantee certain rights to the governing body of the city; and to exclude certain employees from the provisions of this act.

Also:

S. 714. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

S. 744. Relating to counties having not less than 16,350 nor more than 16,650 populations, according to the most recent Federal Decennial Census; to provide an additional clerk-hire allowance for the Tax Collector and Tax Assessor and to provide for the payment of the same for said officers of such counties.

Also:

S. 765. To provide for the filling of vacancies in the event of death, resignation or removal from office, for any cause, of a member or members of the Choctaw County Commission or governing body of Choctaw County, Alabama.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 336. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

was taken up.

On motion of Mr. Carr, further consideration of the Bill, S. B. 336, was postponed until the next legislative day.

The Bill:

S. 358. To fix the annual compensation of the chief justice of the supreme court, associate justices of the supreme court, judges of the courts of appeal, and circuit court judges.

was taken up.

Mr. Foshee offered the following amendment to the Bill, S. B. 358, to-wit:

AMENDMENT TO S. B. 358

Strike Section 1 of said bill in its entirety and insert in lieu thereof:

Section 1. Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court, is further amended to read as follows:

"Section 29. The salary of the chief justice of the supreme court shall be thirty-three thousand five hundred dollars (\$33,500) annually and the salary of every associate justice of the supreme court shall be thirty-three thousand five hundred dollars (\$33,500) annually. Payable in equal semi-monthly installments as the salaries of other state officers are paid."

Strike Section 2 of said bill in its entirety and insert in lieu thereof:

Section 2. Section 111 (18), Title 13, Code of Alabama 1940, as amended, relating to the salary of each judge on the court of appeals, is further amended to read as follows:

"Section 111 (18). The salary of each judge on each court of ap-

peals shall be an annual amount of thirty-three thousand dollars (\$33,000) annually, payable in equal semi-monthly installments as the salaries of other state officers are paid."

Which was adopted.

Yeas 31; Nays 2.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Baker	Givhan	Lybrand	Register	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
				—31

Nays: Messrs. Fine, McLain

—2

Mr. Lybrand then offered the following amendment to the Bill, S. B. 358, as amended, to-wit:

AMENDMENT TO S. B. 358, AS AMENDED

Amend S. B. 358 by adding thereto Section 6 as follows:

"All laws or parts of laws in conflict herewith are hereby repealed."

On motion of Mr. Fine, said amendment was laid on the table.

Yeas 22; Nays 10.

Yeas:

Messrs.:	Givhan	McLain	Shelby	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	Lindsey	Pelham	Wilson	
Fine	Littleton	Register		—22

Nays:

Messrs.:	Dominick	Harris	Malone	
Baker	Foshee	King	Pierce	
Branyon	Gilmore	Lybrand		—10

And said Bill, S. B. 358, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Baker	Givhan	McLain	Shelby	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	O'Bannon	Weaver	
Dozier	King	Owen	Wilder	
Edington	Lindsey	Pelham	Wilson	
Fine	Littleton			—25

Nays:

Messrs.:
Branyon

Dominick

Gilmore

Malone

—4

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1513. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a Policeman's Pension System for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Also:

H. 1636. To further amend Sections 1, 2, 3 and 6 of Act No. 22 of the Second Special Session of the Legislature of Alabama of 1956, approved March 23, 1956 (Alabama Acts, 1956 Special Sessions, Page 290) as heretofore amended, relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama 1943, approved June 28, 1943 (General Acts Alabama 1943, Page 264) and the predecessors of said Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MOTION IN WRITING

Mr. Dominick offered the following Motion in Writing, to-wit:

MOTION to add additional rule—Rule 21 (b)

Rule 21 (b). No bill amending an existing statute shall be accepted for introduction in the Senate unless the new language to be inserted is shown by underscored type.

By unanimous consent, said Motion in Writing, adding new Rule 21 (b), was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 788. To further amend Act No. 288, approved July 7, 1945 (General Acts 1945, p. 478) relating to supernumerary circuit judges, their qualifications, appointment, duties, designations and compensation.

was taken up.

Mr. Shelby offered the following amendment to the Bill, S. B. 788, to-wit:

AMENDMENT TO S. B. 788

Amend S. B. 788 by striking Section 3 thereof and renumbering the subsequent sections accordingly.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Givhan	Lybrand	Register	
Baker	Hawkins	McLain	Shelby	
Carr	Horne	Melton	Weaver	
Clark	Jones	Noonan	Wilder	
Dozier	King	O'Bannon	Wilson	
Edington	Lindsey	Owen		—26

Nays:

—0

And said Bill, S. B. 788, was then read a third time at length and lost.

Yeas 11; Nays 18.

Yeas:

Messrs.:	Fine	King	Shelby	
Clark	Givhan	Melton	Weaver	
Edington	Horne	Owen	Wilson	
				—11

Nays:

Messrs.:	Dozier	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Register	
Baker	Harris	McLain	Vacca	
Branyon	Hawkins	Malone	Wilder	
Carr	Jones	O'Bannon		—18

The Bill:

H. 1360. To create the office of license inspector in all counties having populations of not less than 115,000 and not more than 150,000, according to the most recent federal decennial census; to provide for the supervision of such office by the governing body of such counties; to authorize the governing body of such counties to provide for certain personnel and duties of such office and for salaries; to repeal Section 18 of Act No. 1292, H. 1795, Regular Session 1971 (Acts 1971, p. 2220).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Pierce	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 314. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act; to appropriate funds to be used in the administrations of this Act.

was taken up.

Mr. Weaver offered the following amendment to the Bill, H. B. 314, to-wit:

AMENDMENT TO H. B. 314

Amend Section 31 by deleting subsection (a) (1) and substituting therefor the following: "(1) Each application for certificate of title \$4.00."

Amend by deleting Section 32 and substituting therefor the following: "Section 32. Disposition of Fees. (a) From the fee received by the Department of Revenue for each application for certificate of title as provided in Section 31 (a) (1) the Department shall remit \$1.00 to the county in which the application for certificate of title was prepared which sum shall be paid into the treasury of the county; providing however that in all counties where the probate judge, or such other officer performing the duties of the probate judge, is reimbursed on a fee basis instead of on a salary basis, then \$0.50 shall be paid to the probate judge, or such other officer performing the duties of the probate judge, and \$0.50 into the treasury of the county."

Mr. Bailes moved that said amendment be laid on the table, which motion was lost.

Yeas 13; Nays 16.

Yeas:

Messrs.:	Harris	Malone	Vacca	
Bailes	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Pierce	Wilson	
Gilmore	King			—13

Nays:

Messrs.:	Foshee	McLain	Pelham	
Branyon	Lindsey	Melton	Register	
Clark	Littleton	Noonan	Shelby	
Edington	Lybrand	Owen	Weaver	
Fine				—16

The question was then on the Weaver amendment to the Bill, H. B. 314, and said amendment was then adopted.

Yeas 22; Nays 7.

Yeas:

Messrs.:	Dozier	Foshee	Lindsey
Branyon	Edington	Givhan	Littleton
Clark	Fine	Jones	Lybrand

McLain	Noonan	Pierce	Weaver	
Malone	Owen	Register	Wilder	
Melton	Perham	Shelby		—22

Nays:

Messrs.:	Dominick	Hawkins	O'Bannon	
Bailes	Gilmore	King	Vacca	
				—7

Mr. Weaver then offered the following amendment to the Bill, H. B. 314, as amended, to-wit:

AMENDMENT TO HOUSE BILL 314, AS AMENDED

Amend Section 1, Subsection, (i) (1), page 2 to read as follows:

"(1) Every automobile, motorcycle, mobile trailer, semi-trailer, truck, truck tractor, trailer and other device which is self-propelled or drawn, in, upon or by which any person or property is or may be transported or drawn upon a public highway except such as is moved by animal power or used exclusively upon stationary rails or tracks;"

Amend House Bill 314 by adding the following:

"Section 32-A. Assessment of Motor Vehicle for Ad Valorem Taxes. No motor vehicle required to be titled under the provisions of this Act shall be assessed for ad valorem taxes by an tax assessor, Director of Revenue or other County official authorized and required by law to assess motor vehicles for ad valorem taxes unless the application therefor is accompanied by a copy of an application for a certificate of title to such vehicle, a certificate of title to such vehicle, a duplicate certificate of title to such vehicle where the original is held by a lienholder, or a copy of an application for a replacement certificate of title, provided, however, when the owner of a motor vehicle has complied with the provisions of this section in licensing a motor vehicle or having the license for a motor vehicle transferred to him this section shall not apply thereafter to the renewal of such license by such owner of such motor vehicle."

Amend Section 33 by striking Section 33 in its entirety and by substituting therefor the following:

"Section 33. Issuance of License Plates. No motor vehicle license (or license plate) may be issued and no motor vehicle license (or license plate) may be transferred for use on a motor vehicle required to be titled under this Act except on presentation by the owner to the Judge of Probate or other issuing officer, the copy of an application for a certificate of title to such vehicle, a certificate of title to such vehicle, a duplicate certificate of title to such vehicle where the original is held by a lienholder, or a copy of an application for a replacement certificate of title, provided however, when the owner of a motor vehicle has complied with the provisions of this section in licensing a motor vehicle or having the license for a motor vehicle transferred to him this section shall not apply thereafter to the renewal of such license by such owner of such motor vehicle."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Branyon	Clark	Fine
Bailes	Carr	Dominick	Foshee

Givhan	Lybrand	Owen	Vacca	
Hawkins	McLain	Pelham	Weaver	
Jones	Melton	Pierce	Wilder	
Lindsey	Noonan	Register	Wilson	
Littleton	O'Bannon	Shelby		—26

Nays: —0

Mr. Pelham then offered the following amendment to the Bill, H. B. 314, as amended, to-wit:

AMENDMENT TO H. B. 314, AS AMENDED

Amend Section 3 of H. B. 314 by adding thereto Section 3 (i) which shall read as follows:

“(i) mobile homes and mobile trailers”

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Register	
Carr	Givhan	Melton	Shelby	
Clark	Hawkins	Noonan	Weaver	
Cook	King	Owen	Wilder	—23

Nays: —0

Mr. Harris then offered the following amendment to the Bill, H. B. 314, as amended, to-wit:

AMENDMENT TO H. B. 314, AS AMENDED

Amend Section 32 by deleting therefrom in the two places where it appears the following phrase:

“, or such other officer performing the duties of the probate judge,”

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Melton	Weaver	
Dominick	Jones	Noonan	Wilder	
Dozier				—28

Nays: —0

Mr. Bailes then offered the following amendment to the Bill, H. B. 314, as amended, to-wit:

AMENDMENT TO H. B. 314, AS AMENDED

Amend Section 14 by deleting sub-section (a) so that said section reads as follows:

Section 14. Transfer to or from dealer; records.

Every dealer shall maintain for three (3) years a record in the form the Department prescribes of every vehicle bought, sold or exchanged by him or received by him for sale or exchange, which shall be open to inspection by representatives of the Department and law enforcement officers during reasonable business hours.

On motion of Mr. Weaver, said amendment was laid on the table.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Foshee	Malone	Pelham	
Baker	Givhan	Melton	Register	
Branyon	Harris	Noonan	Shelby	
Clark	Lindsey	O'Bannon	Weaver	
Edington	Littleton	Owen	Wilson	
Fine	Lybrand			—21

Nays:

Messrs.:	Dozier	King	Vacca	
Bailes	Jones	Pierce	Wilder	
Dominick				—8

And said Bill, H. B. 314, as thus amended, was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King	Owen		—34

Nays:

—0

The Bill:

H. 212. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Lindsey	Register	
Baker	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Hawkins	Melton	Wilder	
Cook	Horne	Noonan	Wilson	
Dozier	Jones	Pelham		—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and sends same herewith to the Senate:

S. 442. To repeal Act No. 563, H. 705, Regular Session 1967 and Act No. 857, H. 1491, Regular Session 1971, which authorize the chairman or president of the county governing bodies of counties having a population of 15,400 to 15,625 to make expenditures from the county road, bridge and public building fund.

Also:

S. 535. Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Also:

S. 539. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

Also:

S. 605. To further amend Section 1 of Act No. 88, S. 224, Regular Session (Acts 1967, p. 420) which provides clerk hire allowance for certain county officers in certain counties classified on a population basis, so as to provide additional clerk hire.

Also:

S. 606. To provide funds for clerical hire for the circuit clerk of all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census.

Also:

S. 715. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the last federal decennial census; requiring all members, officers and employees of any chamber of commerce or of any committee, board, agency or subsidiary of any chamber of commerce in said county to be residents of the county.

Also:

S. 394. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

Also:

S. 667. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds

issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Messrs. Shelby and Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 91. HONORING JOHN SYDNEY COOK, III.

WHEREAS, John Sydney Cook, III, has served the Tuscaloosa Delegation well as its aide during the 1973 Regular Session of the Legislature, diligently striving to further the interests of Tuscaloosa County and the State of Alabama; and

WHEREAS, Mr. Cook has conducted himself in an exemplary manner while on the job, although we do not wish to comment on his activities elsewhere; and

WHEREAS, Mr. Cook has become a recognized figure in the various offices of the Capitol, particularly in the Legislative Reference Service, where the employees have bestowed the name "Trouble" upon him; and

WHEREAS, this body has become aware that Mr. Cook will reach the advanced age of twenty-three on August 17 and will thereafter retire; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend John Sydney Cook, III, for a job well done and wish him a Happy Birthday.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Mr. Cook.

Which was read and ordered to lay over on the Secretary's Desk.

Mr. Shelby offered the following Senate Joint Resolution, to-wit:

S. J. R. 92. COMMENDING PAUL DAVIS FOR HIS OUTSTANDING WORK IN THE FIELD OF JOURNALISM.

WHEREAS, Paul Davis of Tuscaloosa has done outstanding work as a newspaper reporter and has been recognized as one of the top journalists in Alabama; and

WHEREAS, this native Alabamian has served on the staff of the Tuscaloosa News for fourteen years and presently holds the position of Associate Editor; and

WHEREAS, Paul Davis has received top honors in 1973 from Sigma Delta Chi professional journalism fraternity and the Alabama Press Association, as well as in Associated Press Competition; and

WHEREAS, this dedicated journalist has provided enlightened coverage on the mental health situation in the State of Alabama and received the Lurleen Wallace Humanitarian Award and been nominated for the Pulitzer Prize for his work in this critical area; and

WHEREAS, Paul Davis has been instrumental as a member of mass media in focusing public attention on a previously neglected area of concern to state government; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends Paul Davis for his accomplishments as a newspaperman, and wishes him continued success in the future.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Paul and Jane Davis.

Which was read and ordered to lay over on the Secretary's Desk.

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 93. RELATING TO THE ASSESSMENT OF PROPERTY ACCORDING TO CLASSIFICATION AS PROVIDED BY CONSTITUTIONAL AMENDMENT NO. 325.

WHEREAS Constitutional Amendment No. 325 which was proposed by Act No. 116. H. 56, Third Special Session 1971 (Acts 1971, p. 4339), providing for the assessment of taxable property for ad valorem tax purposes according to a classification of property, provides that any and all millage adjustment must be made in the year next succeeding the adoption of the amendment and does not set a time certain during that year in which such adjustment shall be made; and

WHEREAS statutes require that county governing bodies levy all taxes which are their responsibility to levy during the month of February of each year, but there is no mention in these statutes of the required millage adjustment in the above named Constitutional Amendment No. 325; and

WHEREAS it is impossible in many cases to determine the effect on local revenue of the classification required in the said constitutional amendment until much later than the statutory requirement of the respective county governing bodies to levy taxes in February; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the respective county governing bodies shall be allowed to effect the one time millage adjustment provided for in Constitutional Amendment No. 325 at any time prior to the tax year beginning October 1, 1973.

BE IT FURTHER RESOLVED That the period for assessment and collection may, at the discretion of the respective county governing bodies, be changed to accommodate the intentions of this resolution for the 1973 tax year, one time and one time only.

Which was read and referred to the Standing Committee on Rules.

Mr. Bailes offered the following Senate Joint Resolution, to-wit:

S. J. R. 94. REQUESTING AN ADVISORY OPINION OF THE JUSTICES.

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinion concerning the following important constitutional questions which have arisen in connection with the General Appropriation Act for the next biennium, Act No. 300, H. 321, which was recently enacted at this current session of the Legislature and particularly in relation to Section 2 F(37) and its effect on a lease entered into on December 1, 1972, by and between Montgomery Leasing, Inc., an Alabama Corporation, and the State Department of Pensions and Security. Nine true copies of said Act No. 300 and of

the above mentioned lease are attached hereto and made a part of this resolution by reference.

The pertinent part of said Section 2, F (37) on which our questions are based is:

"Provided, that none of the above sums appropriated and transferred to the Department of Pensions and Security may be used to pay rent on the old Selma Baptist Hospital located at 15 Riverview Avenue in Selma, Alabama, in excess of 20,000 square feet, excluding the basement, at a rental of \$2.75 per square foot per annum."

1. In view of Constitution of Alabama of 1901, Section 71, does the above quoted provision in Section 2. F(37) of said Act No. 300 have the effect of reducing the amount which can be paid under the above mentioned lease by reducing the amount of space which may be rented from 40,688 (the amount provided in the lease) to 20,000 square feet excluding the basement?

2. If your answer to question 1 is in the affirmative, then will this provision in said Section 2. F(37) amount to a law impairing the obligations of a contract in contravention of Constitution of Alabama 1901, Section 22.

3. In view of the fact that the attached lease is for a period of five years is such lease invalid under Constitution of 1901, Section 213, as amended by Amendment XXVI, in that it creates a debt against the State in violation of such constitutional provisions and hence, in fact is no lease at all, and therefore no law purporting to affect it can be invalid under said Section 22 of the Constitution?

Which was read and referred to the Standing Committee on Rules.

Mr. Dominick offered the following Senate Resolution, to-wit:
S. R. 95.

RESOLVED BY THE STATE OF ALABAMA, That for the remainder of the 1973 Regular Session of the Legislature, the area behind the Senate Chamber shall be cleared of all persons other than Legislators, employees of the Legislature, the Lt. Governor, employees of the Lt. Governor's office and other persons who have official business in that area.

Resolved further that the Secretary of the Senate shall be responsible for the enforcement of this Resolution at all times during which the Senate is in session.

On motion of Mr. Dominick, the Rules were suspended, and the Resolution was adopted by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. J. R. 82. Changing the name of the George C. Wallace Trade School of Cullman County.

Also:

S. 394. To amend Title 13, Section 125 (75e) Code of Alabama, 1940, as amended, pertaining to establishing investigators for the District Attorney's Office for the Fifteenth Judicial Circuit of Alabama, providing for the hiring, salaries, expenses, authority and duties of such officers.

Also:

S. 442. To repeal Act No. 563, H. 705, Regular Session 1967 and Act No. 857, H. 1491, Regular Session 1971, which authorize the chairman or president of the county governing bodies of counties having a population of 15,400 to 15,625 to make expenditures from the county road, bridge and public building fund.

Also:

S. 535. Relating to Talladega County; to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the State Superintendent of Banks, or of the Comptroller of the Currency to establish, maintain, and operate additional offices or places, in cities and towns wholly or partly in such county having not less than 1200 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Also:

S. 539. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Newton, Dale County, Alabama.

Also:

S. 605. To further amend Section 1 of Act No. 88, S. 224, Regular Session (Acts 1967, p. 420) which provides clerk hire allowance for certain county officers in certain counties classified on a population basis, so as to provide additional clerk hire.

Also:

S. 606. To provide funds for clerical hire for the circuit clerk of all counties having a population of not less than 13,000 nor more than 13,250, according to the most recent federal decennial census.

Also:

S. 667. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Also:

S. 715. Relating to counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the last federal decennial census; requiring all members, officers and employees of any chamber of commerce or of any committee, board, agency or subsidiary of any chamber of commerce in said county to be residents of the county.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 298. To amend Act No. 218 adopted at the 1967 Special Session of the Legislature respecting municipal public park and recreation boards, to exempt any corporation organized pursuant thereto from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, and from the laws of the State of Alabama requiring competitive bidding in connection with contracts, and to amend the definitions in the said act to include public restroom facilities, boats, rides and amusement facilities in the definition of "project" therein.

Was read at third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Horne	Melton	Wilder	
Dozier	Jones	Noonan	Wilson	
Edington	King	Owen		—30

Nays:

—0

The Bill:

H. 1025. To establish the capital and surplus required to form a domestic stock life insurance company.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Horne	Noonan	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—29

Nays:

—0

The Bill:

H. 251. To make an appropriation to the Department of Public

Safety from the General fund of the State for certain communications system conversion requirements as recommended by the State Communications Master Plan.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Clark	Hawkins	McLain	Vacca
Cook	Horne	Malone	Weaver
Dozier	Jones	Noonan	Wilder
Edington	King	Owen	Wilson
Fine			

—28

Nays:

—0

The Bill:

H. 860. To amend Section 3 of Act No. 169, H. 27, Regular Session 1945, (Acts 1945, p. 285), as last amended, which section sets the rates of the forest products severance tax, so as to provide for a privilege tax to be levied against the manufacturer or processor utilizing the forest products; and to provide the manner of levying privilege tax.

Was read a third time at length and passed.

Yeas 24; Nays 6.

Yeas:

Messrs.:	Dominick	King	Melton
Bailes	Gilmore	Lindsey	Noonan
Baker	Givhan	Littleton	Owen
Branyon	Harris	Lybrand	Pelham
Carr	Hawkins	McLain	Pierce
Clark	Jones	Malone	Register
Cook			

—24

Nays:

Messrs.:	Fine	Shelby	Wilder
Dozier	Foshee	Weaver	

—6

The Bill:

H. 447. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provided for the inspection and the charging of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Was taken up.

Mr. Lindsey offered the following substitute for the Bill, H. B. 447, to-wit:

SUBSTITUTE FOR H. B. 477

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provides for the regulation, inspection and payment of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, is further amended to read as follows:

"Section 9. Inspection Fee. An inspection fee is hereby imposed and shall be collected in respect of petroleum products sold, offered for sale, stored or used in the State, the said fee to be measured by the number of gallons and to be at the following rates:

"(a) Gasoline: one-fortieth of one cent (1/40¢) per gallon,

"(b) Diesel fuel other than that referred to in clauses (e), (f), (g), (h), and (i) of this Section: one cent (1¢) per gallon,

"(c) Kerosene other than that referred to in clauses (e), (f), (g), and (i) of this Section: one cent (1¢) per gallon,

"(d) Lubricating oil: fifteen cents (15¢) per gallon,

"(e) Kerosene or diesel fuel that are of the types customarily used as, and that are intended to be used only as, fuel to propel jet aircraft: one-fortieth of one cent (1/40¢) per gallon,

"(f) Kerosene or diesel fuel that is used by ultimate consumer thereof as motor fuel to operate boats, yachts, ships or other maritime vehicles, whether said boats, yachts, ships or other maritime vehicles are used commercially or for pleasure: one-fortieth of one cent (1/40¢) per gallon,

"(g) Kerosene or diesel fuel used by the ultimate consumer, thereof to propel or operate tractors which are not operated on public highways but which are used exclusively in preparing and cultivating land, harvesting any agricultural commodity, or for other agricultural purposes, including pasture and hay production; provided, however, that the term 'tractor' as used herein shall not include automobiles, trucks, pick-ups, trailers, semi-trailers, or other such vehicles: one-fortieth of one cent (1/40¢) per gallon,

"(h) Diesel fuel that is of the types customarily used as, and that is intended to be used only as fuel to propel railroad locomotives: one-fortieth of one cent (1/40¢) per gallon. Diesel fuel of the types referred to in this clause (h) shall be inspected in a manner determined and prescribed by the Commissioner.

"(i) Kerosene or diesel fuel used by the ultimate consumer thereof as a solvent or other agent in the treatment or preservation of wood products: one-fortieth of one cent (1/40¢) per gallon.

"(j) It shall be the duty of the person first selling or storing or using any petroleum product in the state to pay said inspection fee. The inspection fee herein provided for shall be paid to the Commission-

er on or before the 20th day of each month in respect of all petroleum products sold, stored or used in the state during the preceding month, and each remittance shall be accompanied by a certificate stating that the amount remitted is correct and that the petroleum products so sold, stored or used are of standard not less than the minimum specified for that petroleum product in the standards prescribed by the board pursuant to Section 5 hereof. If, at the time the said inspection fee is due, the person liable therefor is unable to ascertain the correct amount of such inspection fee because the use to be made of any diesel fuel or kerosene with respect to which the said inspection fee is then due has not been or cannot be ascertained at such time, then such person shall pay to the Commissioner as the inspection fee payable with respect to such diesel fuel and kerosene, one cent (1¢) for each gallon of such diesel fuel and each gallon of such kerosene. Upon furnishing proof satisfactory to the Commissioner that all or any portion of such diesel fuel or kerosene with respect to which an inspection fee at the rate of one cent (1¢) per gallon has been paid or has been or will be used for a purpose or purposes specified in clauses (e), (f), (g), (h) and (i) above, then such person shall be entitled to a credit against the amount of inspection fee becoming due from such person on the 20th day of the then next following calendar month, such credit to be in an amount equal to thirty-nine-fourtieths of one cent (39/40¢) for each gallon of kerosene or diesel fuel proved to have been used or to be used for such specified purpose or purposes; provided, that should the credit to which a person is entitled hereunder exceed the amount of the inspection fee becoming due from such person on the 20th day of the then next following calendar month, then the excess of the credit over the amount of the inspection fee becoming due shall be refunded to such person, or, at such person's election, credited against the amount of any inspection fees subsequently becoming due from such person. The board shall have authority to promulgate rules and regulations with respect to the form and content of the proof of use which must be supplied by a person seeking such a credit or refund and with respect to the procedure to be followed in applying for such a credit or refund. The inspection fee herein provided for shall be paid but once with respect to the same product, but in the event any person fails to make payment as herein provided on or before the date such payment is due, the Commissioner shall add to the inspection fee already due an amount equal to 10% thereof as a penalty for the failure of such person to make such report and payment upon the date herein provided and shall proceed to collect such inspection fee, together with all costs incident to such collection, including the penalty. The inspection fee (and any penalty added thereto) shall constitute and operate as a lien, at all times until paid, upon any petroleum products sold or offered for sale or stored or used in the state by the person liable for the fee, and shall be immediately enforceable by the Commissioner when due in the same manner as are tax liens upon personal property of a delinquent taxpayer. The inspection fee provided for herein is in addition to all other fees and all taxes payable with respect to petroleum products. Notwithstanding anything to the contrary herein, no inspection fee or penalty shall be due or payable with respect to petroleum products which are sold or offered for sale or stored or used while they are in interstate or international commerce, but if after such petroleum products are removed from interstate or international commerce, such petroleum products are sold or offered for sale or stored or used in the state, the fee herein provided for shall be payable with respect to such petroleum products. It is further provided that the board shall have authority to adopt and promulgate reasonable rules and regulations to effectuate the evident intent and purpose of this section with respect to reporting, collection, remittance

and payments of the petroleum products inspection fees imposed hereunder which shall not conflict with any of the express provisions and requirements of said section."

Section 2. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective on October 1, 1973.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Noonan	
Bailes	Foshee	King	Owen	
Baker	Gilmore	Linsey	Pelham	
Branyon	Givhan	Littleton	Register	
Carr	Harris	Lybrand	Shelby	
Clark	Hawkins	McLain	Weaver	
Cook	Horne	Melton	Wilder	
Edington				—28

Nays:

—0

And said Bill, H. B. 447, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Register	
Branyon	Givhan	Lybrand	Shelby	
Carr	Harris	McLain	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—29

Nays:

—0

The Bill:

S. 145. To amend Title 52, Section 351, Code of Alabama, 1940, as amended, to provide that certificated employees of the Alabama Institute for Deaf and Blind, Alabama Industrial School for Boys, Alabama Industrial School for Girls, and Alabama Industrial School at Mt. Meigs shall be defined as teachers and shall be covered under the Alabama Teacher Tenure Law.

Was taken up.

ADJOURNMENT

At 5 o'clock P.M., on motion of Mr. Pelham, and pending further consideration of the Bills, S. B.'s 145 and 336, the Senate adjourned until Tuesday, August 21, 1973, at 9:30 A.M.

THIRTY-FIRST LEGISLATIVE DAY

TUESDAY, AUGUST 21, 1973

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend William Gittner, Pastor, Lutheran Church of the Epiphany, Missouri Synod, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edgington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Hawkins, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

RETURN OF BILL REQUESTED

Mr. Clark moved that the House be requested to return to the Senate for further consideration the Bill, H. B. 1268, which motion was adopted, and the Secretary was so directed.

MOTION IN WRITING

Mr. Baker offered the following Motion in Writing, to-wit:

Mr. President:

Having voted with the prevailing side, on which Senate Bill 788 was defeated, I now move that said bill be reconsidered.

On motion of Mr. Baker, further consideration of said Motion in Writing was postponed temporarily.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Pierce and Jones:

S. 932. To revise and reenact Act No. 14, H. 5, Special Session 1969 (Acts 1969, p. 28), An act to establish the Alabama Commission of Higher Education, so as to change the name of the Commission to the Alabama Commission on Higher Education; to make further provision for the Commission's organization and operations, for the qualifications of its members, and for the position of its chief executive officer; and to strengthen the Commission.

COMMITTEE ON EDUCATION

By Mr. Owen:

S. 933. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In lieu of any chief deputy sheriff, deputy sheriffs, jailers or matrons heretofore authorized by law, the sheriff of Baldwin County is hereby authorized to appoint not less than the following number of employees whose compensation shall be paid from any fund of the county treasury each month in the amounts listed below.

Number of Employees Authorized: 1; Rank: Chief Deputy; Compensation: Shall be the same as a Lieutenant in Alabama State Highway Patrol.

Number of Employees Authorized 8; Rank: Deputies Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Sergeants; Compensation: Shall be the same as a Sergeant in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Matron; Compensation: Shall be the same as a Clerk Stenographer III in the Alabama Department of Public Safety.

Number of Employees Authorized: 1; Rank: Chief Jailer; Compensation: Shall be the same as a Corporal in State Troopers in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Jailers; Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Chief Investigator; Compensation: Shall be not less than that made by an Alabama State Highway Patrol Investigator Sergeant, and not more than Alabama State Highway Patrol Investigator Lieutenant; between said limitations, the sheriff shall fix said employees' salary.

The Chief Deputy, Deputies, Chief Investigator, and Sergeants shall begin employment under the provisions of this act in a grade not greater than grade 4 corresponding to the rank listed opposite said position.

Section 2. All above named personnel shall be required to complete such training, schooling and inservice training as are from time to time required and prescribed by the sheriff of Baldwin County, Alabama, such training, schooling and inservice training to be paid by the county governing body.

Section 3. In addition to the compensation referred to in Section 1 of this Act all uniformed personnel of the sheriff's department shall be entitled to a uniform allowance of not less than \$250.00 per year and the prescribed uniforms shall be purchased by the department.

Section 4. In addition to the employees authorized in Section 1 of this Act the sheriff is hereby authorized to appoint as many additional special deputies as he deems necessary, which special deputies shall serve without compensation from the county treasury.

Section 5. All compensation and number of personnel shall be considered to be minimum numbers of personnel and compensation thereof and the same may be increased at the discretion of the Baldwin County Commission but shall not be decreased.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 7. Any law or parts of laws which conflict with this Act are repealed.

Section 8. Upon the passage of this Act by the Alabama Legislature and adoption by the Governor, or its otherwise becoming law, it shall become effective October 1, 1973.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner, being duly sworn, deposes and says that he is the

EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill to be enacted was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 12, 1973 Vol. 83 No. 29; Date of 2nd publication July 19, 1973 Vol. 83 No. 30; Date of 3rd publication July 26, 1973 Vol. 83 No. 31; Date of 4th publication August 2, 1973 Vol. 83, No. 32.

Subscribed and sworn before the undersigned this 7 day of Aug., 1973.

SAMUEL K. SMITH,
Notary Public, Baldwin County.

J. H. FAULKNER,
Editor.

By Mr. Lindsey:

S. 934. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 935. To amend Title 13, Section 260 (4) and 260 (8) to provide credit to district attorneys or circuit solicitors for time spent as a deputy district attorney when computing eligibility for supernumerary status.

Committee on Judiciary.

By Messrs. Pierce and Jones:

S. 936. To amend Title 13, Section 125 (75d), Code of Alabama, as amended relating to the payment of supplemental salaries by Montgomery County to deputy district attorneys in the fifteenth judicial circuit.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 937. To alter, rearrange and extend the boundary lines and corporate limits of the City of Russellville in Franklin County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Russellville in Franklin County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Russellville in Franklin County are hereby altered, rearranged and extended so as to have the following property description:

As of February 19, 1965, all of Sections 19, 20, 29, 30, 31, 32 and

East one-half of the Southeast one-fourth, Section 18 (Proposed to do away with), and all that part of the South one-half of Section 17 lying West of the East right-of-way line of the Southern Railroad Company (Proposed to do away with).

ALL IN TOWNSHIP 6, RANGE 11 WEST.

Proposed to add to: the South one-half of Section 7, the South one-half of Section 8, the South one-half of Section 9, and the Southwest quarter of Section 10.

The West one-half of Section 15, Township 6, Range 11 West.

All of Sections 16, 17, 18, 21, 28, and 33.

The West one-half of Section 22, the West one-half of Section 27, the West one-half of Section 34, all of the above in Township 6, Range 11 West.

Have as of February 19, 1965 all of Sections 24, 25, 36, all in Township 6, Range 12 proposed to add to: the South one-half of Section 12, All of Section 13, in Township 6, Range 12.

Proposed to add to in Township 7, Range 11 West the following: The West one-half of Section 3, all of Section 4, all of Section 5, all of Section 6, and all of the North one-half of Section 7, all of the North one-half of Section 8, and all of the North one-half of Section 9, and all of the Northwest one-fourth of Section 10, Township 7, Range 11 West.

Proposed to add to in Township 7, Range 12: all of Section 1 and the North one-half of Section 12 in Township 7, Range 12 West.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

**STATE OF ALABAMA,
FRANKLIN COUNTY.**

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, publisher of the Franklin County Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin County Times for 4 consecutive weekly issues beginning with the issue of July 26, 1973 and ending with the issue of Aug. 16, 1973.

CLAUDE E. SPARKS.

Subscribed and sworn to before me, this the 20 day of Aug., 1973 at Russellville, Ala.

**MAE G. STREET,
Notary Public.**

My commission expires 2/11/74.

By Mr. Wilson:

S. 938. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdic-

tion, powers, and duties of such commission and the president and members thereof.

Committee on Local Legislation No. 1.

By Mr. Edington:

S. 939. To authorize and make provisions for the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such municipality within which any such Authority proposes to furnish any such service; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the municipality by which its incorporation was authorized; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which sum securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political

subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

Committee on Public Buildings and Grounds.

By Mr. Shelby:

S. 940. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, vol. 2), as last amended, is hereby amended to read as follows:

"Section 7. Said Firemen's and Policemen's Pension and Relief Fund shall be derived, obtained, and created as follows: A. From the salary of each fireman and each policeman there shall be deducted, and paid into said fund, an amount equal to six per centum of the amount of such salary. Provided that whenever a member of the fire or police department of such city is ineligible to participate in the benefits of such fund by reason of the provisions of this Act, neither such ineligible member nor his salary nor other compensation shall be subject to any assessment for the benefit of such fund. B. Each fire insurance company, including mutual and industrial fire insurance companies, qualified to do business under the laws of Alabama, and doing business in such city, shall annually and on or before the first day of March of each year hereafter, pay into said Firemen's and Policemen's Pension and Relief Fund, a sum equal to one and one-half per centum of the gross premiums, less return premiums, received by such fire insurance company for and on account of business, including all renewals of fire insurance, done by it in the city, during the preceding calendar year; and it shall be unlawful for any such fire insurance company or its agent, to take or receive any premium for insurance against fire within the city unless such fire insurance company shall pay, at the time aforesaid, to the said Firemen's and Policemen's Pension and Relief Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating any of the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Thousand Dollars, to be recovered against such fire insurance company so violating said provisions, or its agent, by suit brought in the name of the city for the use of such fund. Each person, firm, or corporation, which conducts a fire insurance agency or brokerage business in such city, shall annually, within the first ten days of each year, make and file a sworn statement, in writing, with the city clerk of such city, as treasurer of such fund, giving the name and address of each fire insurance company which such person, firm or corporation represented or did business for, as agent or broker, during the preceding year; and any such person, firm or corporation conducting any such fire insurance agency or brokerage business in such city, violating the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Hundred Dollars to be recovered against such person, firm or corporation, so violating such provisions, by suit brought in the name of such city for the use of such fund and all such forfeitures and penalties provided for herein, when collected, shall be and become a part of said Firemen's and Policemen's Pension and Relief Fund. Provided, however, that the said sum equal to one and one-half per centum of gross premiums, less return premiums required by this paragraph of this section to be paid by fire insurance companies into said Firemen's and Policemen's Pension and Relief Fund shall be treated and held to be a part of the maximum of four per cent on each one hundred dollars, or major fraction thereof, of gross premiums, less return premiums, which any municipal corporation may by law impose upon any fire insurance company in any one year as a license or privilege tax for the privilege of doing business in such municipality during such year under Section 739 of Title 37 of the Code of Alabama of 1940 as amended or as the same may be amended. C. All firemen and policemen shall promptly pay into such fund all witness fees in criminal cases, and in cases in which they have been summoned by the city, received by them from any court in the county in which such city is situated, and all moneys received by them or any of them as

a reward or gratuity for the apprehension of any person, the furnishing of any evidence, the recovery or saving of any property, services at any fire, or otherwise received by them for similar service or for work in the line of his duty. D. There shall be paid into such fund, as and when received, all liquor seizure fees received by any policemen or to which he may be entitled and all amounts received by the city from the State Alcohol Beverage Control Board for confiscated liquors and beverages delivered to it as required by law. E. The Board of Trustees may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property; and any such gift, grant, devise or bequest may be absolute or in fee simple or upon condition that only rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created. F. The governing body of the city shall cause to be paid into such fund out of the treasury of such city, an amount equal to twelve per centum of the salary of each member of such fire and police department who is eligible to participate in the benefits of such fund, such payment to be made to such fund as and when such salary becomes payable, and deduction therefrom is made as provided in this section."

Section 2. Section 11 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 11. Investment of Portion of Fund.

The Board of Trustees, after considering the probable demands upon the fund, may invest such portion of it as may be safely withdrawn for the purpose. Of that portion of the fund which the Board of Trustees has determined to be available for investment, not less than fifty per cent (50 per cent) shall be invested, or held for investment, in interest bearing bond or securities of the United States of America, bonds of any state in the United States, any bonds lawfully issued by municipalities in the United States, or invested in any insured savings and loan association to the extent that such investment is insured by the Federal Savings and Loan Insurance Corporation, or invested in any commercial bank to the extent that such investment is insured by the Federal Deposit Insurance Corporation; not exceeding fifty per cent (50 per cent) of the money deemed available for investment may be invested in corporate stocks and bonds; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in real estate loans, secured by a first mortgage thereon. All income from investments shall be and become a part of the fund. All securities belonging to the fund shall be deposited with the treasurer of the fund or, in the event that a financial agent has been employed, may be held by the financial agent and shall be subject to the direction and control of the Board of Trustees."

Section 3. Section 22 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 22. Retirement by Reason of Service and Age.

Any fireman or policeman who has been in the service of the police or fire department for as long as twenty-five (25) years without regard to his then attained age or who has been in the service of said department for as long as twenty (20) years and who has reached the age of sixty (60) years, upon application by him shall be retired and placed on the pension roll by said Board of Trustees."

Section 4. Section 23 of Act No. 328, 1959 Regular Session

(1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 23. Monthly Benefits for Temporary Disability Arising as Result of Service in Department; Retirement for Permanent Disability.

Whenever the Board of Trustees shall determine that any fireman or policeman has become temporarily disabled, mentally or physically, for service in the department of which he is a member, and that such disability arose from any injury received or accident occurring while engaged in the performance of his duty or is otherwise a direct result of his service in such department the Board of Trustees shall order that such disabled fireman or policeman be paid monthly out of such funds, during the period of such disability, a sum equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman as salary at the time of his having become so disabled; provided, that any benefits payable under this section shall be reduced by an amount equal to the amount, if any, which the beneficiary shall receive from such city as salary. The Board of Trustees shall be the sole judge of the extent and cause of any such disability and of the time when such disability has ceased to exist, and the Board's determination thereof shall be final. Whenever the Board of Trustees shall determine that such disability is, or has become, permanent, they shall retire such disabled person and place him upon the Pension Roll and pay him an initial monthly pension equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman at the time of his having become so disabled. The maximum monthly benefit payable hereunder shall be three hundred dollars (\$300), and benefits under this Section shall not be limited by Section 29 herein."

Section 5. Section 25 of Act. No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 25. Payments to Dependent of Member.

For the purpose of this section, children of any policeman or fireman who are under the age of eighteen (18) years, and also the widow of any policeman or fireman while unmarried shall be conclusively presumed to be entirely dependent upon such fireman or policeman.

If any fireman or policeman shall, while in the performance of his duty be killed, or die as a result of any injury received in the line of his duty, or shall die from any cause whatsoever as the result of his service, in such department and while in such service; or after having served in such department for more than ten years, the last five years of which were consecutive shall die from any cause while in the service or on the retired or disabled list, and shall leave a surviving spouse (if retired, to whom he was married at the time of his retirement) surviving him, and entirely dependent upon him, the Board of Trustees shall direct the payment to such surviving spouse monthly during his or her natural life, and while unmarried and entirely dependent on such payment, a sum equal to twenty-five per cent of such fireman's salary if a fireman, and twenty-five percent of such policeman's salary if a policeman. If such fireman or policeman leaves surviving him a child or children under eighteen years of age, said Board shall direct the payment monthly from such fund to their surviving parent, whether married or unmarried, for their use and benefit, an amount equal to fifteen percent (15 per cent) of such policeman's or fireman's salary at the time of his death for each

child under eighteen years of age not to exceed in the aggregate an amount equal to forty-five percent (45 percent) of such salary, so long as such child or children live with their surviving parent and are under eighteen years of age and are supported by such surviving parent. If such child or children have no surviving parent, or such surviving parent dies during the time such child or children are entitled to such benefit, such sum may be paid by the Board of Trustees to the person having control and custody of such child or children or to such other person as said Board of Trustees may direct, to be expended by such person for the benefit of such child or children as may be prescribed by said Board of Trustees. Should such deceased fireman or policeman leave no surviving spouse or child entitled to benefits as hereinabove set out, but a widowed mother entirely dependent upon him for support, said Board of Trustees shall pay to her monthly during her natural life and so long as she remains unmarried, a sum equal to twenty-five percent (25 percent) of such fireman's monthly salary, if a fireman, and a sum equal to twenty-five percent (25 percent) of such policeman's monthly salary, if a policeman. The maximum benefit payable hereunder shall be two hundred dollars (\$200) per month."

Section 6. Section 29 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 29. Limitations on Amount of Pension Benefits. Under no circumstances shall any retired fireman or policeman be paid a pension or other benefit of more than One Hundred Twenty-five Dollars (125.00) if he has contributed to the fund for less than five years, or more than One Hundred and Fifty Dollars (\$150.00) per month if he has contributed to the fund for five years and less than ten years, or more than One Hundred Seventy-five Dollars (\$175.00) per month if he has contributed to the fund for ten years and less than fifteen years, or more than Three Hundred Dollars (\$300.00) per month if he has contributed to the fund for fifteen years or more. Provided, however, that the above Three Hundred Dollar limitation, only with regard to any fireman or policeman (including those on the retired list) who has contributed to the fund for fifteen years or more and who has twenty-five years or more of service in the department, may be increased by the Board of Trustees in such amount as an actuarial study may indicate is justified by the fund's condition. Such increase in the Three Hundred Dollar limitation, as herein authorized, shall be made by the Board of Trustees by resolution duly spread upon its Minutes, and no such increase shall be authorized unless and until an actuarial evaluation, made by some person, firm, or corporation experienced and nationally recognized in the field of actuarial evaluation, indicates the financial soundness of such increase. For the advice of the Board, such actuarial evaluation shall be requested at intervals not exceeding twenty-four (24) months."

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James B. Boone, Jr., Publisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a

newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, 1973, August 6, August 13, and August 20, all in the year 1973.

JAMES B. BOONE, JR.

Sworn to and subscribed before me August 20, 1973.

LILLA COLLINS,
Notary Public.

By Messrs. Bailes, Pierce and Gilmore:

S. 941. To make an appropriation in the amount of \$48,510.52 to the Alabama Corrections Institution Finance Authority.

Committee on Finance and Taxation.

By Messrs. Noonan and Pelham:

S. 942. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to provide that Act No. 1127, S. 477, 1969 Regular Session (Acts 1969, p. 2089) which relates to the disposal of sewage and the installation and inspection of certain plumbing facilities shall not apply to such counties.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 943. Relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bills:

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Also:

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

Also:

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action, which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County,

Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election or appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

Also:

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

Also:

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

Also:

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Also:

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

Also:

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

Also:

H. 784. To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last or any subsequent federal census.

Also:

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Also:

H. 146. To amend the title and Section 1 of Act No. 281, S. 217,

Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Also:

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 649. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Also:

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

Also:

H. 787. To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for payment of the same and to provide the date when said Act shall go into effect.

Also:

H. 785. To amend Section 3.07 and Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

Also:

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Also:

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 997. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

Also:

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 1083. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

H. 1698. To amend Sections 2, 4, 6, 9, and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

Also:

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population of more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

Also:

H. 447. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provides for the regulation, inspection and payment of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Also:

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature, or to any licensed retailer in any county in which such a civic center is located, a revocable permit to sell or dispense draft or keg beer or malt beverages.

Also:

H. 331. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Also:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

Also:

H. 977. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, Hearn, Hale, King and Grainger:

H. 1992. To repeal Act No. 2188, H. B. 2767, Regular Session 1971, (Acts 1971, p. 3502), entitled, "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1987. To repeal Act No. 1448, S. B. 970, Regular Session 1971, (Acts 1971, p. 2471) entitled, "An Act To provide the Board of County

Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries."

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1988. Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care and protection of ancient cemeteries.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the Board of County Commissioners may, upon appropriate request, provide assistance in the maintenance, restoration, care, and protection of any ancient cemetery or burial ground, as herein defined, located within the geographical perimeters of such county, and may appropriate funds for that purpose.

As used herein, the term "ancient cemetery or burial ground" means any land or structure located in Madison County dedicated to and used for the interment of human remains, and which at the time Madison County assists in the maintenance, restoration, care and protection thereof has two or more graves therein which are at least one hundred years old.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4 July, 11 July, 18 July, and 25 July, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1989. To repeal Act No. 1334, H. 2123, Regular Session 1971 (Acts 1971, p. 2283), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1990. To repeal Act No. 1474, S. 1010, Regular Session 1971 (Acts 1971, p. 2514), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Also:

By Messrs. Grainger, Lutz, Hale, Hearn and King:

H. 1991. Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, Alabama all hospitals, clinics, sanitariums, doctors, physicians, surgeons, nurses, school teachers, pharmacists, social workers, or any other person called upon to render aid or medical assistance to any child under 16 years of age, when such child appears to be suffering from starvation or sexual abuse or attempted abuse or is suffering from or has sustained any wound or injury which appears to be unusual or of such a nature so as to indicate or raise a suspicion, that such wound or injury was caused by physical abuse, child brutality, child abuse, or neglect, such hospital, clinic, sanitarium, doctor, physician, surgeon, nurse, school teacher, pharmacist, social worker, or such other person called upon to render aid or medical assistance to said child under the age of 16 years of age, shall be required to report the same by telephone immediately, followed by a written report to the district attorney of Madison County and in addition to the chief of police of the city or to the Sheriff of Madison County if the observation is made in an unincorporated territory, or to the department of pensions and security; provided, however, that a child who is being furnished Christian Science treatment by a duly accredited Christian Science Practitioner shall not be considered a physically neglected child for the purpose of this section.

When a report is made to a law enforcement official, such official subsequently shall inform the department of pensions and security of the report so the department can carry out its responsibility to provide protective services to the respective child.

Section 2. These reports shall state, if known, the name of the child, his whereabouts, the names and addresses of the parents, guardian, or caretaker, the character and extent of his injuries. The written report shall also contain, if known, any evidence of previous injuries to said child and any other pertinent information which might establish the cause of such injury or injuries, and the identity of the person or persons responsible for the same.

Section 3. Any person, firm or corporation participating in the making of a report pursuant to this act or participating in a judicial proceeding resulting therefrom shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

Section 4. The doctrine of privileged communication shall not be a ground for excluding any evidence regarding a child's injuries or the cause thereof, in any judicial proceeding resulting from a report pursuant to this act.

Section 5. Any person who shall knowingly fail to make the report required by this act shall be guilty of a misdemeanor and shall be punished by a sentence of not more than 6 months or a fine of not more than \$500.00.

Section 6. The provisions of this act are severable. If any part or parts of the act shall be declared unconstitutional or void, such declaration shall not affect the remainder of this act.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1993. To repeal Act No. 2283, S. B. 1221, Regular Session 1971, (Acts 1971, p. 3684), entitled "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1995. To repeal Act No. 145, H. 131, First Special Session 1971 (Acts 1971, p. 231), entitled, "An Act To provide for the election of a seven member City Board of Education for any city having a population of not less than 135,000 nor more than 180,000 according to the most recent federal decennial census; and to provide for the terms of its members."

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1996. To repeal Act No. 2192, H. B. 2771, Regular Session 1971, (Acts 1971, p. 3507), entitled, "An Act To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1994. Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of the County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the Judge of Probate shall charge and collect fees for the following services as hereinafter provided:

- (a) Issuing commissions to Notaries Public—\$10.00;
- (b) Issuing and recording marriage licenses together with consent to the marriage and certificate of its celebration and taking and recording bond—\$5.00;
- (c) Celebrating rites of matrimony—\$5.00;
- (d) Services rendered in legitimatizing children under the provisions of the Code of Alabama—\$10.00;
- (e) Services rendered in adopting children under the provisions of the Code of Alabama—\$25.00;
- (f) Granting Letters Testamentary or of Administration—\$5.00;
- (g) Granting Letters of guardianship for each minor—\$5.00;
- (h) Examining, stating and passing the accounts of executors, administrators and guardians for final or partial settlement and appointing a day for hearing—\$5.00;
- (i) For redemption of land from tax sales where land has been sold to one other than the State of Alabama—\$20.00;
- (j) For services rendered in changing a name—\$10.00.

Section 2. All sums collected under the provisions of this Act shall be used to provide workmens' compensation benefits for employees of the county. The County Commissioners or other like governing body of the county are authorized to use such funds for the procurement of workmens' compensation insurance for the county em-

ployees. Any sums received under the provisions of this Act in excess of what is required to provide such workemsn compensation benefits and insurance shall be paid over into the general fund of the county at the end of each calendar year.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me 8-3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1997. Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the Judges of the County Court shall be entitled to receive an allowance for expenses in the amount of \$3,000.00 per annum, which expense allowance shall be payable in equal monthly installments at the end of each month from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1998. To repeal Act No. 233, H. B. 254, Third Special Session 1971, (Acts 1971, p. 4503), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1999. Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the County Commission, Board of Revenue or like governing body shall have the authority, at its discretion, to appropriate and pay to the Sheriff of the county an annual amount not to exceed \$200.00 per deputy sheriff or other member of the Sheriff's force, provided such deputy or other member of the Sheriff's force is regularly employed on a full time basis by the Sheriff of the county.

Section 2. The appropriation, when so paid to such sheriff shall be used exclusively by the sheriff for clothing, apparel and uniform of the deputy sheriffs and other members of the sheriff's force who are employed by the sheriff on a full time basis.

Section 3. All similar or like appropriations paid and expended by such counties prior to the passage of this act are hereby validated.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws in conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me 8-3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2000. To repeal Act No. 1387, H. 2302, Regular Session 1971 (Acts 1971, p. 2330), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population

of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2001. To repeal Act No. 1491, S. 1087, Regular Session 1971, (Acts 1971, p. 2569), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2002. To repeal Act No. 1912, S. 1091, Regular Session 1971 (Acts 1971, p. 3102), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2003. To repeal Act No. 2225, H. 2689, Regular Session 1971 (Acts 1971, p. 3579), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2004. Relating to Madison County; regulating the costs and fees in the county courts.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; regulating the cost and fees in the county courts.

Be It Enacted by the Legislature of Alabama:

Section 1. In the county courts of Madison County a fee of Two Dollars shall be charged by the clerk of the court for docketing each

case, civil and criminal, which fee shall be collected for the county and shall be paid monthly by the clerk to the county treasurer or other proper custodian of county funds. Such fee shall be in lieu of any other like docketing fee heretofore provided for by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me 8-3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2005. To repeal Act No. 1390, H. B. 2305, Regular Session 1971 (Acts 1971, p. 2559), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Also:

By Messrs. Lutz, King, Hale, Hearn and Grainger:

H. 2006. To repeal Act No. 1489, S. B. 1084, Regular Session 1971 (Acts 1971, p. 2341), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 2007. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County so as to further regulate the compensation of te members of the board of registrars; providing for payment of additional compensation from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison Count, each member of tse county board of registrars shall receive fifteen dollars (\$15.00) per day for each day's attendance upon the sessions of the board. Of this, ten dollars (\$10.00) per day shall be paid by the state as prescribed by Act No. 531, S. B. 101, Regular Session 1947 (General Acts 1947, p. 388), as amended, and the remaining five dollars (\$5.00) shall be paid from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me 8-3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1985. Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted;

providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Be It Enacted by the Legislature of Alabama:

Section 1. In the City of Huntsville the city board of education, shall upon the written recommendation of the city superintendent of education, determine and establish a written educational policy for the city and shall prescribe rules and regulations for the conduct and management of schools. Before making his written recommendations to the city board, the city superintendent shall consult with his professional assistants, principles, teachers, and the professional organization representing the majority of the certified employees.

The city board must, on or before October 1, 1973, establish such policies and adopt such rules and regulations and file them with the city superintendent of education by October 15, 1973. Such written policies, rules and regulations, so established, adopted, or promulgated shall be made available on or before November 15, 1973, to all teachers employed by the city board. Any subsequent amendment to such policies, rules and regulations shall be adopted in the same manner and subject to the same recommendations and shall be filed with the city superintendent and furnished to the teachers employed by the city board within ten days after adoption thereof.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1984. To repeal Act No. 43, H. 72, Second Special Session 1971, (Acts 1971, p. 4180), entitled, "An Act To provide that the city board of education in all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1992, 1987, 1988, 1989, 1990, 1991, 1993, 1995, 1996, 1994, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 1985 and 1984. To the Committee on Local Legislation No. 1.

MOTION TO RECONSIDER

Mr. Fine moved that the Senate reconsider the vote by which the Resolution, S. R. 95, was adopted on the Thirtieth Legislative Day. Mr. Fine further moved that his motion to reconsider be postponed temporarily, which motion was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hardin and Bassett:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Also:

By Mr. Robertson:

H. 1196. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA TUSCALOOSA COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

TO ALTER OR REARRANGE THE BOUNDARY LINES OF THE CITY OF NORTHPORT, TUSCALOOSA COUNTY, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS THERETO, IN TUSCALOOSA COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Northport, Tuscaloosa County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Northport; to ratify all past annexations since the last local annexation law, and in addition thereto the following described territory, to-wit:

TRACT 1:

A parcel of land located in W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, Township 21 S, Range 10 West, Tuscaloosa County, Alabama.

As a point of beginning start at intersection of East boundary of said W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and North boundary of Right of Way of U. S. Highway 82 West, said point being 100 feet North of center line of Right of Way: thence Northwardly along East boundary of said W $\frac{1}{2}$ of SE $\frac{1}{4}$ a distance of 728 feet, then with deflection angle of 90 degrees 00 minutes to left run Westerly direction a distance of 297.2 feet to point in center of old ditch: then Southwardly along the center line of meandering of said ditch to intersect with North boundary of Right-of-Way of U.S. 82 West; then Easterly along curving North boundary of Right-of-Way of U.S. Highway 82 West a chord distance of 242.2 feet to point of beginning.

TRACT 2:

All of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 21 South, Range 10 West, that lays south of U.S. Highway 82.

TRACT 3:

A 30 foot strip of land along the North line of Northwest Quarter of Section 11, Township 21 South, Range 10 West.

TRACT 4:

Start at the NW corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 8, Township 21S, Range 10 W, as point of beginning marked as stone, being NW corner of tract herein described.

Then East 250 feet more or less to a point on West margin of Harper Road being NE corner of said lot, then SE direction along West margin of said road where intersects with N margin of Highway 82 West, then West for 535 feet more or less to a point on $\frac{1}{4}$ section line being SW corner of lot, then North along $\frac{1}{4}$ section line 1026.25 feet more or less to point of beginning.

TRACT 5:

Start at the NW corner of SW $\frac{1}{4}$ of Section 8, Township 21S, Range 10 West, Tuscaloosa County, Alabama, and run East along North line of Ida Bell's farm 1545 feet, then South 730 feet to South margin of U.S. Highway 82 West, which is the point of beginning of the property herein described; then deflect left 106 degrees 02 minutes and run 106 feet along South Right of Way to Station 75 + 00 of U.S. Highway 82 West, being a concrete marker, then turn left 90° 00 minutes and run a distance of 15 ft. to another concrete marker; then turn right 90 degrees 00 minutes and run for a distance of 104 feet along the R.O.W. being 100 feet South of the centerline of U.S. Highway 82 West; then turn right 105 degrees 32 minutes and run South for a distance of 747.2 feet; then turn right 73 degrees 57 minutes and run West 210 feet; then turn right 106 degrees 03 minutes and run North 731.5 feet to point of beginning. A total of 3.5 acres.

TRACT 6:

7.34 acres located in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9, Township 21S, Range 10 W. Begin at the SW corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, then North along West line of said $\frac{1}{4}$ for 337.18 feet to point of beginning. Continue North along said line for 388.85 feet. Then turn a deflection angle of 87 degrees 01 minutes to left and run 829.6 feet to a point. Then turn a deflection angle of 94 degrees 50 minutes left and run 388.85 feet, then turn a deflection angle of 85 degrees 08 minutes left and run 815.8 feet to point of beginning.

TRACT 7:

Starting at the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 8, Township 21 South, Range 10 West, thence East along the Quarter Section line a distance of 72.9 feet to the centerline of Hargrove Creek which point is the point of beginning of property herein described; thence East along this same Quarter Section line a distance of 411.18 feet to the intersection of the North Right-of-way line of U.S. Highway 82 West which is a common point with the Southwest corner of Lot 12 of Proposed Harper Subdivision No. 5; then with a deflection angle to the left of 127 degrees 34 minutes, proceed along the West line of Lots 12, 11, and 10 a distance of 423 feet to Hargrove Creek; then Southerly along a meandering line (Hargrove Creek bank) a distance of approximately 390 feet to the point of beginning. A total of 1.60 acres.

TRACT 8:

One acre in the Southwest corner of S $\frac{1}{2}$ of S $\frac{1}{2}$ of Southeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ of Section 3, Township 21 South, Range 10 West.

TRACT 9:

Parcel I. The surface rights only in and to the following: The East half of the Southwest Quarter of Section 2, Township 21 South, Range 10 West, including all real property comprising Chestnutt Hills Subdivision No. 1, a map or plat of which subdivision is recorded in the Office of the Probate Judge of Tuscaloosa County, Alabama, in Plat Book 7, Page 111, less and except Lot no. 6 of said subdivision; and also conveying all rights, title and interest in and to Chestnut Hills Subdivision No. 2, a map or plat of which is recorded in Plat Book 10, Page 49, in the Probate Records of Tuscaloosa County, Alabama.

Parcel II. The following described real estate located in Tuscaloosa County, Alabama, to-wit: A parcel containing five (5) acres, more or less, located in the Southwest Quarter of the Southeast Quarter of Section 2, Township 21 South, Range 10 West, and more particularly described as follows: Begin at the Southwest corner of said Southwest Quarter of the Southeast Quarter of Section 2, Township 21 South, Range 10 West, and run North along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 664.7 feet to a branch, which is the point of beginning; thence continue to run North along said West boundary a distance of 268.8 feet to a point, which point is 933.5 feet North of said Southwest corner and is marked by an iron pin; run thence East (with an interior angle of 71 degrees and 10 minutes) South 77 Degrees and 08 minutes East a distance of 813 feet to a point on the West boundary of Watermelon Road, which point is marked by an iron pin; run thence Southerly along said West boundary of said Watermelon Road a distance of 233 feet to said branch; run thence Westwardly along the center of said branch (following the meanderings thereof) a distance of 622 feet, more or less, back to the point of beginning; and being the same property conveyed by J. A. Channell and wife, Lillie Channell, to Frank E. Turner and his wife, Amanda Turner, by deed dated October 10, 1945, and recorded in the Probate Office of Tuscaloosa County, Alabama, in Deed Book 224, Page 510.

Parcel III. The following described real property located in Tuscaloosa County, Alabama, to-wit: A triangular parcel located in the Southwest Quarter of the Southeast Quarter of Section 2, Township 21 South, Range 10 West, and more particularly described as follows: As a starting point, start at the Southwest corner of said Southwest Quarter of the Southeast Quarter of said Section 2; thence run Northwardly and along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 933.5 feet to a point, which is the point of beginning of the property herein described; thence continue Northwardly and along the West boundary of said Southwest Quarter of the Southeast Quarter a distance of 100 feet to a point; thence with a deflection angle of 144 degrees 25 minutes to the right, run in a Southeasterly direction for a distance of 162.63 feet to a point; thence with a deflection angle of 144 degrees 25 minutes to the right, run in a Westerly direction a distance of 100 feet back to the point of beginning. Reference to a plat of said property which is recorded in Deed Book 495, Page 285, in the Probate Office of Tuscaloosa County, Alabama, is made in aid of and as a part of this description.

TRACT 10:

A parcel of land located in the Northwest Quarter of the Southeast Quarter of Section 3, Township 21 South, Range 10 West in Tuscaloosa County, Alabama, being more particularly described as follows:

As a point of beginning start at the Northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 3; thence run

South along the West line of said Northwest Quarter of the Southeast Quarter for a distance of 133.28 feet to a point on the East or Northeast boundary of Hunter Creek Road, said point being 40 feet from the center line of said Hunter Creek Road; thence with an interior angle of 140 degrees 41 minutes run in a Southerly or Southeasterly direction along said Hunter Creek Road for a distance of 230.44 feet to a point; thence with an interior angle of 90 degrees 00 minutes run in a Northeasterly direction for a distance of 46.0 feet to a point; thence with an interior angle of 228 degrees 00 minutes run in an Easterly direction for a distance of 97.0 feet to a point; thence with an interior angle of 173 degrees 30 minutes run in an Easterly direction for a distance of 100.0 feet to a point; thence with an interior angle of 145 degrees 00 minutes run in a Northeasterly direction for a distance of 68.0 feet to a point; thence with an interior angle of 118 degrees 00 minutes run in a Northerly direction for a distance of 67.0 feet to a point; thence with an interior angle of 153 degrees 00 minutes run in a Northwesterly direction for a distance of 180.0 feet to a point; thence with an interior angle of 129 degrees 25 minutes run in a Westerly direction for a distance of 336.94 feet to the point of beginning.

Said parcel containing 2.22 acres.

TRACT 11:

Parcel A: Begin at the Northeast corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 16, Township 21 South, Range 10 West, and continue West along the section line for a distance of 624.63 feet; thence to the left with an interior angle of $86^{\circ}24'$ go south for a distance of 615 feet; thence to the left with an interior angle of 93 degrees $36'$ go East for a distance of 762.57 feet; thence to the left with an interior angle of 23 degrees $38'$ go in a northwesterly direction for a distance of 154.33 feet; thence to the right with an exterior angle of 242 degrees $43'$ go in a northerly direction for a distance of 553 feet to the point of beginning, parcel containing 8.9337 acres, more or less.

Parcel B: Parcel B-1: A part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, 3-21-10, being more particularly described as follows: as a point of beginning, start at the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence run in a Southerly direction and along the West boundary of 1322.55 feet to the Southwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence run in an Easterly direction and along the south boundary of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ for a distance of 824.62 feet to a point; thence with a deflection angle of 93 degrees $43'$ to the left run in a Northerly direction for a distance of 1322.28 feet to a point, said point lying on the North boundary of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence with a deflection angle of 86 degrees $17'$ to the left run in a Westerly direction for a distance of 828.40 feet to the point of beginning.

Parcel B-2: A part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, 3-21-10, being more particularly described as follows: as a point of beginning, start to the Northwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence run in a Southerly direction and along the West Boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ for a distance of 588.79 feet to a point; thence with a deflection angle of $129^{\circ}58'$ to the left run in a Northeasterly direction for a distance of 351.69 feet to a point; thence with a deflection angle of $4^{\circ}40'$ to the right continue in a Northeasterly direction for a distance of 239.0 feet to a point; thence with a deflection angle of $54^{\circ}42'$ to the left run in a Northerly direction for a distance of 193.0 feet to a point, said point lying on the North boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence with a deflection angle of $86^{\circ}07'$ to the left run in a Westerly direction for a distance of 466.0 feet to the point of beginning.

TRACT 12:

Begin Section line which is the West corner of E $\frac{1}{2}$ of E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 6, Township 21 South, Range 10 West, and continue North 416 feet; thence East 104 feet; then South 416 feet; and then West 104 feet to point of beginning.

This land is part of W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6, Township 21 South, Range 10 West, the tract starts at SE corner of the W $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$; then run North along East line of said forty 109 feet to point on North boundary of County Road, which is point of beginning, then continue North 382.7 feet; thence with deflection angle of $71^{\circ}29'$ to the left run West 120 feet; thence with a deflection angle of $108^{\circ}31'$ to the left run South parallel to East line of W $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ 382.7 feet to a point on North boundary of said county road; thence with a deflection angle of $71^{\circ}29'$ to left run East along road 120 feet to point of beginning.

TRACT 13:

Lots no. 18, 19, and 20 of Clark Subdivision as recorded in Plat Book 10, at Page 150, in the Probate Office of Tuscaloosa County, Alabama.

TRACT 14:

Begin at the Northeast corner of Section 8, Township 21, South, Range 10 West; thence West along the Section line 480 feet to the point of beginning, thence turn an angle of 123 degrees left and run 260 feet; thence turn right 90 degrees and run 338 feet to margin of the Byler Road; run thence in a Northwesterly direction 258 feet along the East margin of Road to P.T.R.O.W. Marker 73 - 63; thence continue along the East margin 288 feet to a pipe on section line of Section 8; thence turn 131 degrees and 35 minutes and run East 510 feet along section line to the point of beginning, containing 3.4 acres, more or less same property described and recorded in Deed Book 360, Page 540, office of Judge of Probate, Tuscaloosa County, Alabama.

TRACT 15:

One acre of land in the Northeast Corner of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) in Section 11, Township 21, Range 10, being and lying in Tuscaloosa County, Alabama.

A part of the NW- $\frac{1}{4}$ of the NE- $\frac{1}{4}$, Section 11, Township 21 South, Range 10 West, in Tuscaloosa County, Alabama, being more particularly described as follows: Start at the Northwest corner of the NW- $\frac{1}{4}$ of the NE- $\frac{1}{4}$, 11-21-10; thence run in an Easterly direction and along the North boundary of the NW- $\frac{1}{4}$ of the NE- $\frac{1}{4}$ for a distance of 47.8 feet to a point, said point lying on the West boundary of the Watermelon Road, an 80 feet right-of-way; thence with a deflection angle of $111^{\circ}58'$ to the right, run in a Southerly direction and along the curving West boundary of the Watermelon Road for a chord distance of 113.77 feet to a point, said point also lying on the West boundary of the NW- $\frac{1}{4}$ of the NE- $\frac{1}{4}$; thence with a deflection angle of $155^{\circ}13'$ to the right, run in a Northerly direction and along the West boundary of the NW- $\frac{1}{4}$ of the NE- $\frac{1}{4}$ for a distance of 105.62 ft. to the point of beginning.

TRACT 16:

Parcel One:

All of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18, Township 21 South, Range 10 West, which lies South of GM&O RR and West of old Colum-

bus Highway and N. of Alabama Insane Hospital Property.

Trailer Court (Pine Grove) Assessed by BOE.

Parcel Two:

A pt of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 18, Township 21 South, Range 10 West, desc as follows: Beg at NW cor of Sec 18 run thS along W margin of sd sec to a pt on N marg of GM&O RR R/W; th E along N mrg of sd RR R/W to a pt on the SW marg of R/W of Old US H/W 82; th NW direction along the curving marg of sd H/W R/W to a pt on the N marg of sd sec; th W to a pt of beg.

Parcel Three:

St at NE cor of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 and proceed South alg the E bdry line of sd NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 18 for a dist of 401.0 ft to a pt, th with a right defl ang of 93 Degr 13 min, run in a W dir alg the R.O.W. line of the GM&O RR a dist of 432.64 ft to the POB of the prop herin desc.

Th W alg this same R.O.W. line a dist of 84.0 ft to a pt, th turn a defl ang of 87 Degr 00 min to the right and proceed N a dist of 522.2 ft to a pt on the South R.O.W. line of U.S. Hwy 82; th turn a defl ang of 95 Degr 58 min to the right and proceed a dist of 84.0 ft to another point on the S R.O.W. line of HWP 82; th turn a defl ang of 84 Degr 02 min and proceed South a dist of 518.9 ft. to the POB. A total of 1.00 acres.

St at NE cor of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 18 and proceed South alg bdry line of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec 18 for a dist of 401.00 ft to a pt, th with a right defl ang of 93 degs 13 min, run in a W dir alg the R.O.W. line of the GM&O RR a dist of 348.64 ft to the POB of the prop herein desc. Th W alg this same R.O.W. line a dist of 84.0 ft to a pt. Th turn a defl ang of 87 degs 00 mins to the right and proceed N a dist of 518.9 ft to a pt on South R.O.W. line of U.S. Hwy. 82. Th turn a defl ang of 94 degs 30 min to th right and proceed a dist of 84.0 ft to another point on the S R.O.W. line of Hwy. 82. Th turn a defl ang of 85 Degr 39 Min to the right and proceed South a dist of 516.6 ft to the P.O.B. A total of 1 acre.

PARCEL FOUR:

St at the Sw cor of Sec 7, Tp 21 South, Range 10 West, and run E along Sec line 1580 to POB; th turn left 93 Degr 14 Min and run N 160.2' along E line of Foy W. Young land, as described in DB 495 at Pg 427; th E along U.S. 82 By-pass for a dist of 51' to a pipe; th S 169' along Rufus Richey's line to S line of Sec 7; thence W 51' to POB.

Parcel Five:

Start at SW cor of Section 7, Township 21, Range 10 West, run E 1833 ft along South line of Sec 7 to a ditch being the pt of begin. Th run N along center of sd ditch 240 ft to S margin of H/W 82 th E 150 ft, to E line of Bett's land along S line th run S 248.3 ft to sec line th west 49 ft to begin all being in SE $\frac{1}{4}$ of SW $\frac{1}{4}$.

Parcel Six:

Start at SW cor Sec 7, Tp 21, Range 10 W & run E 1631.5 ft along Sec line to pt of beg; th L 93 Deg 15 min & run N 169 ft to R/W US H/W 82; th E along S marg of US H/W 82 213 ft to the center of a ditch; th down sd ditch in a SE dir 240 ft to the sec line; th W 301 ft to

pt of beg, cont. 1.1 acres, more or less, all being Tusc County, Alabama.

Parcel Seven:

All lands in the North half of Section 18, Township 21 South, Range 10 West, that lay North of the Old Columbus Highway, West of the airport and south of GM&O Railroad.

TRACT 17:

The surface rights in and to the following described land. To-wit: Begin at the point made by the South margin line of the Watermelon Road with the Northwest corner of the John Turner Place; run thence South 900 feet; thence West 726 feet to a stake, thence West 594 feet to the land of Henry Snider to a point of beginning, thence run North 73 feet 4 inches, thence run East 250 feet; thence run South 73 feet 4 inches; thence run West 250 feet to the point of beginning. This land lying and being in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 21, Range 10, West.

The surface rights in and to the following described land. To-wit: Begin at the point made by the South margin line of the Watermelon Road with the Northwest corner of the John Turner Place; run thence South 900 feet; thence West 726 feet to a stake, thence West 594 feet to the land of Henry Snider; thence run North 73 feet 4 inches to point of beginning; thence run North 73 feet 4 inches; thence run East 250 feet; thence run South 73 feet 4 inches; thence run West 250 feet to the point of beginning. This land lying and being in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 21, Range 10, West.

The surface rights in and to the parcel of land hereinafter described, to-wit: From a point made by the South margin line of the Watermelon Road with the Northwest corner of the John Turner Place, run South 900 feet; thence West 726 feet to a stake, thence continue West again 594 feet to the land of Henry Snider; thence run North 146 feet 8 in to a point for beginning description of the lot and parcel of land herein conveyed. From said point of beginning run North 73 feet 4 inches; thence run East 250 feet; thence run South 73 feet 4 inches; thence run West 250 feet back to said point of beginning. This land lying and being in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 21, Range 10, West.

TRACT 18:

As a point of beginning start at the point of intersection of the East boundary of U.S. Highway No. 43 and the existing City Limits for Northport, Alabama; thence run in a Northwesterly direction and along the East boundary of U.S. Highway No. 43 to its point of intersection with the South boundary of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, thence run in an Easterly direction and along the South boundary of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to the Southwest corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence continue in an Easterly direction and along the South boundary of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ for a distance of 660 ft. to a point; thence run in a Northerly direction and parallel with the West boundary of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to a point on the North boundary of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence run in a Westerly direction and along the North boundaries of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ to its point of intersection with the East boundary of U.S. Highway No. 43; thence run in a Southerly direction and along the East boundary of U.S. Highway No. 43 to a concrete Highway Monument, said Monument lying at a Right-of-Way change of U.S. Highway No. 43; thence run in a Southwesterly direction for a distance of 40 ft. to a point; thence continue in a Southeasterly direction and parallel with and

30 ft. from the East boundary of U.S. Highway No. 43 to a point lying on the existing City Limits of Northport, Alabama; thence run in an Easterly direction and along the existing City Limits of Northport, Alabama for a distance of 32 ft., more or less, to the point of beginning.

TRACT 19:

Lots numbered Thirteen (13) Fourteen (14) and Fifteen (15) of Clark Subdivision, a map or plat of which is recorded in Plat Book 10, at Page 150, in the Probate Office of Tuscaloosa County, Alabama, and reference to which is hereby made in aid of and as a part of this description.

TRACT 20:

SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33, Township 20 South, Range 10 West in Tuscaloosa County, Alabama and that part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying west of the Shirley Road, Less and except one (1) acre in the NE corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$.

TRACT 21:

Starting at South East corner of Northeast Quarter of Northeast Quarter run West 264 feet to Road, thence North along East boundary of road 594 feet thence East to Section Line, Thence South to beginning Section 1, Township 21, Range 11, three (3) acres more or less.

Begin at Southwest corner of Northwest Quarter of the Northwest Quarter run E. 544.5 feet to big ditch, thence along West Bank of ditch to Section line, thence North to beginning, Section 6, Township 21, Range 10, containing 6 acres more or less, containing 9 acres more or less.

TRACT 22:

Five (5) acres of land between Dunn's Flowerland and Green-village Mobile Home Park. Located on 82 Highway. 290.2 feet along Highway 82 and 728 ft, deep. Township 21 South, Range 10 West.

TRACT 23:

A part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, Township 21 South, Range 10 West in Tuscaloosa County, Alabama, being more particularly described as follows: Start at the Northwest Corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, thence run in an Easterly direction along the North boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ for a distance of 466.0 feet to the point of beginning; thence with a deflection of 193.0 ft. to a point; thence with a deflection angle of 112 degrees 01 minutes to the left, run in a Northeasterly direction for a distance of 159.36 feet to a point; thence with a deflection angle of 21 degrees 23 minutes to the right, run in an Easterly direction for a distance of 54.74 feet to a point; thence with a deflection angle of 89 degrees 12 minutes to the left, run in a Northerly direction for a distance 118.89 feet to a point, said point lying on the North boundary of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence with a deflection angle of 86 degrees 17 minutes to the left, run in a Westerly direction and along the North boundary of the SE $\frac{1}{4}$ for a distance of 203.29 feet to the point of beginning. Said parcel containing 0.689 acres.

TRACT 24:

All of Lot Number 16 and Lot Number 17 of Clark Subdivision, a map or plat of which is recorded in the Office of Judge of Probate in Plat Book Ten (10) at Page 150, reference to said map or plat being made herein in aid of and as a part of this description.

No business buildings shall be built or used on the land hereby conveyed, nor shall said lands be used for any purpose other than residential. No dwelling costing less than Ten Thousand and NO/100 (\$10,000.00) Dollars, shall be erected on said property. No lot shall be re-subdivided or more than one dwelling constructed on any of the lots herein conveyed prior to the installation of a proper, adequate, and approved central water supply system and the installation of an approved central sewage system. As part of the consideration for this conveyance, parties of the second part agrees to conform to the foregoing restrictions and agrees that said restriction shall be binding on the parties of the second part, his heirs, assigns and transferees.

TRACT 25:

The Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 4, Township 21 South, Range 10 West, of Tuscaloosa County, Alabama.

TRACT 26:

A parcel of land lying in the West one-half of the Southwest Quarter of Section 8, Township 21 South, Range 10 West, Tuscaloosa County, Alabama, the boundaries of said parcel being described as follows:

To locate the point of beginning, commence at the Southwest corner of said section; thence run North 4 degrees 48' West, along the West boundary of said section, a distance of 784.24 feet to the point of beginning. Thence continue North 4 degrees 48' West, along the West boundary of said section, a distance of 606.74 feet to a point on the South right of way line of U.S. Highway 82; thence North 69 degrees 46' East, along said right of way line, a distance of 437.93 feet to a point; thence South 59 degrees 01'30" east, along the said right of way line, a distance of 115.35 feet to a point on the West right-of-way line of a public road know as the Harper Road; thence South 7°49' East, along the West right of way line of said Harper Road, a distance of 627.69 feet to a point; thence South 82°11' West, perpendicular to the West right of way line of said Harper Road, a distance of 549.53 feet to the point of beginning.

All lying in the West one-half of the Southwest Quarter of Section 8, Township 21 South, Range 10 West, Tuscaloosa County, Alabama and containing 8.00 acres, more or less.

TRACT 27:

A part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 21 South, Range 10 West in Tuscaloosa County, Alabama being more particularly described as follows: As a point of beginning start at the point of intersection of the West boundary of Section 11 and the North boundary of the U.S. 82 By-Pass; thence run in an Easterly direction and along the North boundary of the U.S. 82 By-pass for a distance of 1006.81 ft. to a point; thence with a deflection angle of 94 degrees 26' to the left, run in a Northerly direction for a distance of 370.58 ft to a point; thence with a deflection angle of 86 degrees 32' to the left, run in a Westerly direction for a distance of 1005.65 ft. to a point, said point lying on the West boundary of Section 11; thence with a deflection angle of 93 degrees 27' to the left, run in a Southerly direction and along the West boundary of Section 11 for a distance of 353.45 ft to the point of beginning.

TRACT 28:

All of Lots One (1), Two (2) and Three (3) of Clark Subdivision, a map or plat of which is recorded in the Probate Office of Tuscaloosa

County, Alabama in Plat Book Ten (10) at Page 150, reference to said map or plat being made herein in aid of and as a part of this description.

TRACT 29:

A part of Lot Six (6) of Five Points Subdivision, a plat of which is recorded in Plat Book 5 at Page 196 of the Probate Records of Tuscaloosa County, Alabama, reference to the record of said map or plat being here made in aid of and as a part of this description, the portion of said lot 6 herein conveyed being described as follows: Start at the Northwest Corner of said Lot 6 and run South along the Western boundary line thereof a distance of 115 feet; run thence East and parallel to the Northern boundary of said Lot 6 a distance of 190 feet, more or less, to the Eastern boundary of said lot and the Western margin of 38th Avenue; run thence North along the Eastern boundary of said Lot 6 to the Northeast corner thereof; run thence West along the Northern boundary of said Lot 6 to the Northwest corner thereof and the point of beginning.

All of Lot Numbered Six and Seven (6 and 7) of Five Points Subdivision near Northport Alabama as shown and designated on Plat recorded in Plat Book 5 at Page 196 of the Probate Records of Tuscaloosa County, Alabama; reference to the said map or plat being hereby made in aid of and as a part of this description.

Subject to an easement of the Alabama Power Company across the above lots.

TRACT 30:

All of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 21 South, range 10 West in Tuscaloosa County, Alabama lying North of the U.S. 82 By-Pass and West of the Watermelon Road.

TRACT 31:

PARCEL NO. 1. Begin at the southeast corner of the southwest quarter of the northwest quarter of section 11; township 21 south, range 10 west, Tuscaloosa County, Alabama; thence north 0 degrees 15' west along the east boundary line of said quarter-quarter a distance of 192.0 feet to a point on the southerly right-of-way line of U.S. Highway No. 82; thence north 84 degrees 25' west along the southerly right-of-way of said Highway No. 82, a cord distance of 322.08 feet to a point; thence south 0 degrees 23' east a distance of 203.80 feet to a point on the south boundary line of said quarter-quarter; thence north 86 degrees 31' west along said south boundary line, a distance of 88.23 feet to a point; thence south 0 degrees 03' east, a distance of 351.41 feet to a point on the northerly right-of-way line of Watermelon Road; thence south 87 degrees 33' east along said right-of-way line a distance of 473.58 feet to a point; thence north 79 degrees 44' east along said right-of-way line a cord distance of 457.38 feet; thence north 64 degrees 41' east along said right-of-way line a distance of 493.94 feet to a point on the north boundary line of the northeast quarter of the southwest quarter of said section 11; thence north 86 degrees 47' west, along the north boundary of said quarter-quarter a distance of 962.26 feet to the point of beginning.

All lying in the southwest quarter of the northwest quarter and the north one-half of the southwest quarter of section 11, township 21 south, range 10 west, Tuscaloosa County, Alabama, and containing 9.61 acres, more or less.

PARCEL NO. 2. To locate the point of beginning commence at the

southeast corner of the southwest quarter of the northwest quarter of section 11, township 21 south, range 10 west, Tuscaloosa County, Alabama; thence north 0 degrees 15' west along the east boundary line of said quarter-quarter, a distance of 443.38 feet to the point of beginning said point of beginning lying on the northerly right-of-way line of U.S. Highway No. 82; thence continue north 0 degrees 15' west, along the east boundary of said quarter-quarter a distance of 383.11 feet to a point; thence south 0 degrees 83' east a distance of 370.66 feet to a point on the northerly right-of-way line of said Highway No. 82; thence South 84 degrees 24' east along said right-of-way line a chord distance of 321.20 feet to the point of beginning.

All lying in the southwest quarter of the northwest quarter of section 11, township 11 south, range 10 west, Tuscaloosa County Alabama, and containing 2.75 acres, more or less.

TRACT 32:

A part of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 11, Township 21 South, Range 10 West in Tuscaloosa County, Alabama, being more particularly described as follows:

To find the point of beginning, commence at the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 11, Township 21 South Range 10 West; thence proceed in a Southerly direction along the West line of said quarter-quarter section a distance of 209.89 feet to a point which is the Northwest corner of the property herein described and is the point of beginning; thence continue in a Southerly direction along the West line of the said quarter-quarter section a distance of 656.74 feet to a point; thence with an interior angle of 93 degrees 50' to the left proceed in an Easterly direction 1295.73 feet to a point which is 52.5 feet West of the East line of said Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said section; thence with an interior angle of 85 degrees 46' to the left proceed in a Northerly direction 648.78 feet to a point; thence with an interior angle of 94 degrees 36' to the left, proceed in a Westerly direction 1291.77 feet to the point of beginning, said parcel containing 19.334 acres.

TRACT 33:

Parcel Number One: Begin at the Northeast corner of Section 1, Township 21 South, Range 11 West, and run South 3 degrees 50' West for a distance of 234 feet to the first named corner of this parcel of property; thence run North 45 degrees West for a distance of 170 feet to a point on the North boundary line of said Section 1 and the South boundary line of a public road; thence run in an Eastern or slightly Southeastern direction along the South boundary line of the said public road to a point on the West boundary line of the Church Road; thence run in a Southern direction along the West boundary line of the Church Road to a point which is directly East of the Southeast corner of the property heretofore coveyed by Mary Lee Price Sutton to Oliver Sutton; thence run in a Western direction to the Southeast corner of said property heretofore conveyed by Mary Lee Price Sutton to Oliver Sutton; thence run in a Northern direction in a straight line to the first named corner of this parcel of property.

Parcel Two: Begin at the Northeast corner of Section 1, Township 21 South, Range 11 West, and run South 3 degrees 50' West for a distance of 234 feet; thence run North 45 degrees West for a distance of 170 feet to a point which is the first named corner of this parcel of property thence run South 55 degrees West for a distance of 420 feet

to a point; thence run South 28 degrees West for a distance of 157 feet; thence run North with a compass reading of about 354 degrees along the Eastern boundary line of the J. W. Christian property on the West for a distance of 388 feet, more or less, to a point on the Southern boundary line of the right of way of a public road; thence run in an Eastern direction along the Southern boundary line of the public road for 464 feet, more or less to the point of beginning.

TRACT 34:

Parcel One: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section, Township 21 South, Range 10 West.

Parcel Two: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, Township 21 South, Range 10 West.

Parcel Three: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, Township 21 South, Range 10 West.

Parcel Four: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, Township 21 South, Range 10 West.

Parcel Five: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, Township 21 South, Range 10 West.

Parcel Six: Jennings Chapel Subdivision and all property belonging to the Church including Chapelwood Subd. #1, Plat Book 9, at Page 102 and Chapelwood Subd. #2 Plat Book 10, at Page 101.

Parcel Seven: Cloverdale Estate Subdivision as recorded in Plat Book 10 at Page 90 in the Probate office of Tuscaloosa County, Alabama.

Parcel Eight: Booth Estate Subdivision as recorded in Plat Book 10 at Page 96 in the Probate Office of Tuscaloosa County, Alabama.

Parcel Nine: Lavender Acres Subdivision as recorded in Plat Book 9 at page 97 in the Probate Office of Tuscaloosa County, Alabama.

Parcel Ten: A portion of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of:

Start at SW corner of $\frac{1}{4}$ run thence Northerly along W Boundary of $\frac{1}{4}$ for 330 feet; which is point of beginning, thence continue Northerly along W boundary 90 feet to point; thence turn right through deflectin angle 93 degrees 45' run Easterly 210 feet to point; thence right deflection angle 86 degrees 15' Southerly 90 degrees to point; thence Westerly 210 feet more or less, to point of beginning. All in Section 6, Township 21 South Range 10 West.

Parcel Eleven: West $\frac{1}{2}$ of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and West $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ both in Section 7, Township 21 South, Range 10 West.

Parcel Twelve: Begin at the SW corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ run East along the South boundary line 660 ft to SE corner of the West $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$; which is the point of beginning. Thence turn left and run along the East boundary line of said West $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 69 feet more or less to the South margin of public road; thence left and follow the meanderings of the South margin of the road 371 feet to a point; thence left and run in a straight line 170 feet more or less to a point on the South boundary line of said 40; thence left and run 409 feet to point of beginning. All in section 6, Township 21 South, Range 10 West.

Less and except: Lots 8 through 15, and 21 through 24, of Simpson Subdivision and the lands of Mr. Chester F. Cork.

TRACT 35:

Parcel I: A part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 21 South, Range 10 West in Tuscaloosa County, Alabama being more particularly described as follows:

Start at the Southwest corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ thence run in an Easterly direction and along the South boundary of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ for a distance of 1,279.64 ft. to the point of beginning; thence continue in an Easterly direction and along the South boundary of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ for a distance of 10.0 ft to the West boundary of the Watermelon Road, an 80 ft. right-of-way; thence run in a Northerly direction and along the West boundary of the Watermelon Road for a distance of 438.77 ft. to a point; thence run in a Westerly direction and parallel with the South boundary of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ for a distance of 10.0 ft to a point; thence run in a Southerly direction and parallel with the West boundary of the Watermelon Road for a distance of 438.92 ft. to the point of beginning.

PARCEL II: All of that part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 21 South, Range 10 West, which lies North of the Highway 82 By-Pass and West of Watermelon Road in Tuscaloosa County, Alabama.

PARCEL III: All that part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 21 South, Range 10 West, which lies South of the Highway 82 By-Pass and North of Watermelon Road in Tuscaloosa County, Alabama.

TRACT 36:

Parcel One: To find the point of beginning start at the Southeast corner of the Southwest $\frac{1}{4}$ of Section 10, Township 21 South, Range 10 West in Northport, Alabama and proceed north along the half-section line a distance of 619 feet to a point. Then turn a deflection angle to the left of 94 degrees 05 and proceed West 300 feet to a point. Then turn a deflection to the right of 94 degrees 05' and proceed North a distance of 1054.50 feet to the Southwest corner, said corner being the point of beginning of the property herein described. Then continue North on this same line a distance of 250.0 feet to the Northwest corner of this property. Then turn a deflection angle to the right of 90 degrees 00' and proceed East a distance of 124.62 feet to the Northeast corner which is on the West right-of-way of 11th Ave. Then turn a deflection angle to the right of 90 degrees 00' and proceed South along the West right-of-way of 11th Avenue a distance of 250.0 feet to the Southeast corner. Then turn a deflection angle to the right of 90 degrees 00' and proceed West a distance of 124.62 feet to the point of beginning.

A total of 0.715 acres.

Parcel Two: The point of beginning of the property herein described is the Northeast corner of Lot No. 14 of Longview Subdivision as shown in Plat Book 10, Page 31 in Tuscaloosa County Probate Judge's Office

From the point of beginning proceed north a distance of 30.0 feet to the centerline of 28th street. Then turn a deflection angle to the right of 90 degrees 00' and proceed a distance of 300.0 feet to the Northeast corner. Then turn a deflection angle to the right of

90 degrees 00' and proceed south a distance of 1,581.3 feet to the Southeast corner. Then turn a deflection angle to the right of 94 degrees 48' and proceed West a distance of 301.0 feet to the Southwest corner which is on the centerline of 22nd Street. Then turn a deflection angle to the right of 85 degrees 12' and proceed North along the East line of Longview Subdivision a distance of 1,556.3 feet to the point of beginning.

A total of 10.80 acres.

Parcel Three: The point of beginning of the property herein described is the Northwest corner of Lot No. 11 of George Rose Subdivision as shown in Plat Book 9, Page 49 in Tuscaloosa County Probate Judge's office.

From the point of beginning proceed north along the west line of George Rose Subdivision and parallel to the Half-section line a distance of 1,707.4 feet to a point on the south right-of-way of U. S. Highway 82. Then turn a deflection angle to the left of 84 degrees 32' and proceed west along the south right-of-way of Highway 82 a distance of 418.4 feet to another point on the south right-of-way. Then turn a deflection angle to the left of 95 degrees 28' and proceed south parallel to the half-section line a distance of 1,828.4 feet to the Southwest corner of the property. Then turn a deflection angle to the left of 101 degrees 01' and proceed east a distance of 424.5 feet to the point of beginning.

A total of 16.903 acres.

TRACT 37:

That portion of the Northeast one-fourth of the Southeast one-fourth of Section 10, Township 21 South, Range 10 West, specifically described as follows: Begin at the Northeast corner of the Northeast one-fourth of the Southeast one-fourth of Section 10, Township 21 South, Range 10 West, and run thence in a Western direction along the North boundary line of the said forty for a distance of 548.5 feet to a point, which is the Northwest corner of the Alabama Power Company property and the Northeast corner of this parcel of property; thence run in a Southern direction and parallel to the East boundary line of the said forty for a distance of 461.2 feet to a point on the North boundary line of the right-of-way of the Watermelon Road; thence run in a Western and slightly Southwestern direction along the Northern boundary line of the right-of-way of the Watermelon Road to a point on the West boundary line of the Northeast one-fourth of the Southeast one-fourth of said Section 10; thence run in a Northern direction along the West boundary line of the said forty to the Northwest corner of the said forty; thence run in an Eastern direction along the North boundary line of the said forty to the Northeast corner of this parcel of property.

TRACT 38:

All of the following described real property in Tuscaloosa County, Alabama, to-wit: All of Lot Numbered (9) Nine of Five-Points Subdivision near Northport, Alabama, as shown and designated on a plat recorded in Plat Book 5 at Page 196 in the Probate Office of Tuscaloosa County, Alabama, reference to said map or plat being hereby made in aid of and as a part of this description.

TRACT 39:

All of Lots numbered eight (8), twelve (12) thirteen (13) and fourteen (14) of Five Points Subdivision near Northport, Ala-

bama, as shown and designated on a plat recorded in Plat Book 5 at Page 196 in the Probate Office of Tuscaloosa County, Alabama, reference to said map or plat being hereby made in aid of and as part of this description.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
TUSCALOOSA COUNTY**

Before me LaJune Burnett, Notary Public in and for the State and County aforesaid personally appeared Karl J. Elebash, Jr., who, being by me first duly sworn, deposes and said that during the time herein mentioned he was Publisher of Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for fourth successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, June 7 all in the year 1973.

KARL J. ELEBASH, JR.,
Affiant.

Sworn to and subscribed before me on this 14th day of June, 1973.

LaJUNE BURNETT,
Notary Public.

Also:

By Mr. Snell:

H. 1647. Relating to Chambers County; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, providing for operation of their offices, and to allow the county governing body to pay certain allowances to county officers for expenses they incur to attend the conventions of their respective associations or in the conduct of other business for the county.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

**STATE OF ALABAMA
COUNTY OF CHAMBERS**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Chambers County; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, providing for operation of their offices, and to allow the county governing body to pay certain allowances to county officers for expenses they incur to attend the conventions

of their respective associations or in the conduct of other business for the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Chambers County shall be entitled to receive the following salaries in lieu of all other compensation heretofore prescribed for them by law.

(a) Probate Judge—fifteen thousand dollars (\$15,000) annually.

(b) Sheriff—twelve thousand dollars (\$12,000) annually.

(c) Circuit Clerk—ten thousand two hundred dollars (\$10,200) annually.

(d) Tax Assessor—ten thousand two hundred dollars (\$10,200) annually.

(e) Tax Collector—ten thousand two hundred dollars (\$10,200) annually.

(f) Coroner—twelve hundred dollars (\$1,200) annually, plus mileage at the rate of 8c per mile for necessary travel in the performance of his duties.

Section 2. The governing body of Chambers County shall provide compensation for clerks, deputies, assistants, and secretaries for the officers enumerated in this act in such manner as may be reasonably necessary for the efficient conduct of their respective offices.

Section 3. The governing body of Chambers County shall provide the judge of probate, sheriff, circuit clerk, tax assessor, and tax collector, with the books, stationery, office equipment, supplies, postage, and other conveniences and conveyances as may be necessary for the proper and efficient conduct of the affairs of their respective offices.

Section 4. The governing body of Chambers County shall have the authority to fix and pay allowances to county officers for travel outside the county and other necessary expenses incurred to attend the conventions of their respective associations, or for any other expenses incurred by such county officers in the conduct of business for the county which requires travel outside the county.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this are repealed.

Section 7. The provisions of this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned

sne was publisher of the The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1973.

MRS. BONNIE HAND.

Sworn to and subscribed before me July 18, 1973.

GEORGE A. JACKSON,
Notary Public.

Also:

By Messrs. Turner and Cottingham:

H. 1874. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Also:

By Mr. Owens:

H. 1876. To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: To provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the

Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: to provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and provides for and regulates certain procedures in such court, is hereby amended to read as follows:

"An Act To provide further for the institution and prosecution of misdemeanor cases in certain inferior courts of Bibb County; to provide that the Clerk of the Circuit Court of Bibb County shall serve ex-officio as clerk of such inferior courts; and to authorize him when so serving to take oaths in support of complaints or affidavits, to issue warrants of arrest thereon returnable to such inferior courts, to receive pleas of guilty and to set the punishment therefor with the judge of the court making the formal minute or judgment entry on a subsequent date without the presence of the defendant."

Section 2. Section 1 of said Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, P. 1752), is hereby amended to read as follows:

"Section 1. The Clerk of the Circuit Court of Bibb County shall be Ex-Officio the Clerk of the County Court of Bibb County and also the Clerk of a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established in Bibb County. Prosecution of persons charged with misdemeanors in Bibb County, Alabama, may be begun, by affidavit made before the Clerk of the Circuit Court when serving as Ex-Officio Clerk of the County Court of Bibb County or when serving as Ex-Officio Clerk of such a Justice Court and warrant of arrest issued thereon by said clerk returnable to the County Court or the Justice Court as the case may be; and thereupon the jurisdiction of the County Court or the Justice Court, as the case may be, shall attach, and the case shall proceed to trial upon said affidavit and warrant in either of such courts, under the same rules and procedures as is provided by law in misdemeanor cases. The clerk shall be entitled to a fee of one dollar for each warrant issued, so long as he is compensated on a fee basis; but should the method of compensating the Circuit Clerk of Bibb County be changed to a salary basis, then such clerk when serving as Ex-Officio Clerk of either the County Court or of a Justice Court established under authority of said Act No. 2445, shall continue to collect the fee herein prescribed and shall pay said fee into the county treasury of Bibb County."

Section 3. The court cost and fees in the Justice Court herein created shall be the same as the court cost and fees charged in the County Court of Bibb County, Alabama and the disposition thereof shall be the same as that in the County Court.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-12, 7-19, 7-26, and 8-2, all in the year 1973.

J. W. OAKLEY, JR.,
Publisher.

Sworn to and subscribed before me August 6, 1973.

FRANCES N. BAKER,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1893. Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. After this Act takes effect no officer or employee of Houston County or of any county department, board, bureau, committee, commission, institution, corporation, authority or other agency of the county shall appoint any person related to him within the fourth degree of affinity or consanguinity to any job, position, or office of profit with the county or with any of its agencies. Any person related to the appointing authority within the prohibited degree shall be ineligible to serve in any capacity with the county under authority of such an appointment and any appointment so attempted shall be void. Whoever violates this Act is guilty of a misdemeanor and shall be punished by a fine not to exceed \$500 or by imprisonment not to exceed one year, or both.

Section 1 (a). The provision of this act shall not apply to any individual or individuals employed as of the effective date of this act in any branch, department or bureau of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: 5-14, 21, 28; 6-4, 1973 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 1st day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1894. Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Houston County shall be entitled to a salary of Fifteen Thousand Dollars (\$15,000) per annum, payable in equal monthly installments from the general fund of the said county.

Section 2. This Act shall supersede (Act No. 1104, page 1935, Regular Session of the Legislature of Alabama 1971).

Section 3. This Act shall take effect on the expiration of the current term of office of the judge of probate.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in

Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, 7-10, 17, 24, 31, 1973 in the Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 1st day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Hill and Flippo:

H. 1919. Relating to Lauderdale County; authorizing the county commission to provide parking facilities near the county courthouse and to regulate parking on county property around the courthouse; providing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; authorizing the county commission to provide parking facilities near the county courthouse and to regulate parking on county property around the courthouse; providing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Commission is hereby authorized to provide adequate parking for petit jurors, grand jurors, witnesses and employees of the state and county having offices in the county courthouse. Said commission may furnish such parking through the acquisition and operation of parking lots by contracting with any private or public agency for such purpose, under such terms as it may deem necessary and desirable or by reimbursing those persons covered by this act for their reasonable personal expenses in securing parking.

Section 2. Upon the request of the said commission, the sheriff of Lauderdale County shall deputize the county engineer or any other employee of the engineering department or of the sheriff's office to enforce one hour parking limitations and restrict zone limitations on motor vehicles parking on said county's property around the courthouse during courthouse hours, and said deputy shall have the authority to place a parking ticket on any motor vehicle violating these regulations. Said deputy shall be further authorized to place tickets of motor vehicles blocking other vehicles lawfully parked or parked in spaces not provided for public parking.

Section 3. The violation of any provision of this act shall constitute a misdemeanor and the fine therefor shall be set at \$3.00 plus court costs; provided, that in the event said fine is voluntarily paid within fifteen days from the date of such violation, no court costs nor any other fees shall be charged in connection therewith. In the event said fine is not paid within fifteen days from the date of such violation, the deputy shall proceed to handle said case as in other traffic cases made by the sheriff of said counties.

The clerk of the county court is authorized to accept payment of said fines or court costs as the case may be and to remit the fines to the general fund of Lauderdale County, and to disperse the court costs as provided by law.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times-Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping hereby certify that the attached clipping is a true and correct copy of: STATE OF ALABAMA COUNTY OF LAUDERDALE A BILL TO BE ENTITLED AN ACT Relating to Lauderdale County authorizing the county commission to provide parking facilities near the county courthouse and to regulate parking on county property around the courthouse; providing penalties for violations. as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space here given, as follows: June 23, 30, July 7, 14, 1973.

BILL HARRISON.

Sworn to before me this 14th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Mr. Cottingham:

H. 1920. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Also:

By Messrs. Flippo and Hill:

H. 1921. Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Commission shall determine the needs of each department of county government, the projected cost of operating each department and the anticipated revenue which may be available for the operation of the county government and shall fix the budget for the cost of operating all departments within the limits of the anticipated revenue of the county. In making such determinations, said commission may require the head of each department to file a report containing an inventory of its property and the condition thereof, its present and future needs, a cost estimate, including salaries, equipment and all other necessary expenditures and any other appropriate information it may desire. Upon the establishment of such budget, the head of each department shall expend county funds within the limits fixed by the said commission, and may be held liable for any expenditures in excess of such limits.

Section 2. The said county commission shall be further authorized to fix policies respecting the observance of holidays, to establish and promulgate rules, regulations and procedures respecting vacations and sick leave for all county employees, and to enforce such policies, rules and regulations.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: STATE OF ALABAMA COUNTY OF LAUDERDALE A BILL TO BE ENTITLED AN ACT Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees. as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: June 23, 30, and July 7, 14, 1973.

BILL HARRISON.

Sworn to before me this 14th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Messrs. Flippo and Hill:

H. 1922. To provide that the members of the board of registrars of Lauderdale County shall receive \$15.00 per day for their services.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that the members of the board of registrars of Lauderdale County shall receive \$15.00 per day for their services.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Lauderdale County board of registrars shall be paid \$15.00 for each day he performs his official duties which shall be paid for by the State of Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: STATE OF ALABAMA COUNTY OF LAUDERDALE A BILL TO BE ENTITLED AN ACT To provide that the members of the board of registrars of Lauderdale County shall receive \$15.00 per day for their services. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space here given, as follows: June 23, 30, and July 7, 14, 1973.

BILL HARRISON.

Sworn to before me this 14th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Mr. Fite:

H. 2022. Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of Probate of Winston County, shall, within thirty days from the effective date of this Act, order an election to be held for the purpose of annexing certain territory as prescribed in Section 2 of this Act to the municipality of Haleyville. The Judge of Probate shall give notice and conduct the election as provided in Code of Alabama 1940, Title 37, Section 135, as amended, except that all qualified voters residing within the corporate limits of Haleyville shall participate in the election, as well as those residing in the territory proposed to be annexed, and the question shall be determined by a majority of the total vote.

Section 2. The election held as provided in Section 1 shall be to

include within the corporate limits of the city of Haleyville, in addition to the lands now included, all of the following territory, to wit:

Begin at NW corner of Section 7, T9S, R10W, and thence East along section lines to the NE corner of Section 10, T9S, R10W; thence South along the section lines to the South boundary line of T9S, R10W, this being the Se corner of Section 34, T9S, R10, West; thence continue South along the Section lines to the Southeast corner of Section 15, T10S, R10W; thence West along the section lines to the SW corner of Section 18, T10S, R10W; thence North along the Marion County line to the NW corner of Section 6 T110S, R10W, thence continue North along said Marion County line to the NW corner of Section 7, T9S, R10W, which is the point of beginning.

Section 3. In accordance with the provisions of Amendment 255 of the Constitution of Alabama 1901, if a majority of the electors voting in the election prescribed in Section 1 and 2 of this Act approve the annexation proposed therein, this Act shall become effective as to such annexation immediately after the certification of the results of such election. If the majority of electors reject the proposed annexation, this Act shall be of no force and effect.

Section 4. The provisions of this Act are cumulative and shall not be construed to repeal or supersede any laws not inconsistent herewith.

Section 5. As to the Judge of Probate of Winston County, this Act shall be effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY.

Personally appeared before me the undersigned authority in and for said County and State, Don Thrasher, who after being duly sworn deposes and says:

My name is Don Thrasher. I am editor and publisher of the North-west Alabamian a newspaper of general circulation published in Winston County, Alabama. The copy of publication hereto attached was published in said paper for Four (4) consecutive weeks, on the following dates: May 10, May 17, May 24, and May 31, 1973.

DON THRASHER,
Publisher.

Sworn and subscribed to before me this 1st day of June, 1973.

MILDRED GRIGG,
Notary Public.

Also:

By Mr. Gray (F):

H. 2025. To amend Section 2 of Act # 535, S. 528, regular session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensation of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA
BULLOCK COUNTY

Notice is hereby given that a bill substantially as follows will be introduced into the Legislature of Alabama, and application for its passage and enactment will be made to wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act #535, S. 528, regular session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of Act #535, S. 528, Regular Session, 1965, (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of County Commissioners of Bullock County, Alabama, is amended further to read as follows:

Section 2. That in lieu of the per diem and mileage now authorized and allowed the county commissioners under the provisions of Title 12, Section 28, Code of Alabama, 1940, as amended, for the performance of duties with relation to the public roads and bridges of the county, the members of the County Commission of Bullock County shall be paid the sum of \$300.00 monthly for the performance of such duties with relation to the public roads and bridges of Bullock County, Alabama. In addition, each member of the County Commission shall be entitled to fifteen cents per mile for each mile traveled on such official business, but the total mileage allowance claimed by or paid to any Commissioner for any calendar month shall not exceed three hundred dollars (\$300.00). Such payments shall be paid from the Gasoline Tax Fund of the county by warrant drawn by the Judge of Probate on order of the County Commission.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared Earl Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Vice President of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1973.

EARL PHILLIPS,
Vice President.

Sworn to and subscribed before me July 17, 1973.

NAN RAINER,
Notary Public.

My Commission expires: 3/6/1977.

Also:

By Messrs. Wynot, Carnes and Waldrop:

H. 2028. To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary election in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), entitled "An Act To abolish primary elections of political parties in all cities and towns of 300,000 populations or less; and to repeal conflicting laws," shall not apply to Etowah County.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 2, July 9, July 16 and July 23, all in the year 1973.

GLENDA GRIFFIN.

Sworn to and subscribed before me August 6, 1973.

LEO DRISKELL,
Notary Public, Alabama State at Large.

My Commission Expires May 16, 1976.

Also:

By Mr. Owens:

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Hale County; providing for the election and tenure of the members of the county board of Education.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Hale County shall consist of five members who shall be elected by the qualified electors of the entire county at large. Members of the board from Places 2 and 5 respectively, shall be elected at the general election to be held in 1974 and every six years thereafter. Members of the board from Places 1 and 3, respectively, shall be elected at the general election to be held in 1976 and every six years thereafter. The member from Place 4 shall be elected at the general election to be held in 1978 and every six years thereafter. All members holding office when this act becomes effective shall continue in office until their respective terms expire and until their successors are elected and have qualified.

Section 2. The Hale County Board of Education, as herein constituted, shall be vested with the same authority, powers and duties as is provided for county boards of education under the general law.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama,

and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1973.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me, Willie L. Arrington, Notary Public in and for said state and county, this the 4th day of August, 1973.

WILLIE L. ARRINGTON,
Notary Public.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2044. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials.

Also:

By Messrs. Turner and Cottingham:

H. 2046. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize such county to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

Also:

By Messrs. Turner and Cottingham:

H. 2047. Amending Section 3 of Act No. 729, H. 598, Regular Session 1953 (Acts 1953, p. 985) which provides airport zoning regulations, so as to exclude counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census.

Also:

By Mr. Crowe:

H. 2050. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1275, 1196, 1647, 1874, 1876, 1893, 1894, 1919, 1920, 1921, 1922, 2022, 2025, 2028, 2030, 2044, 2046, 2047 and 2050. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1983. To repeal Act No. 897, H. B. 1595, Regular Session 1971 (Acts 1971, p. 1661), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1982. Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the Probate Judge shall charge a fee of One Dollar (\$1.00) for filing for record or for recording each and every instrument, paper, writing, document, or decree in his office, including but not limited to, each financing statement, deed, contract, mortgage of real or personal property, mechanic's lien, lis pendens, certificate of judgment, lease, assignment, bill of sale, restriction, deed of trust, affidavit, marriage license, official bond, bond of personal representative such as executor or administrator, decree on lunacy inquisition, decree appointing guardians of minors or persons of unsound mind, de-

cree appointing a guardian ad litem in any proceeding in the Probate Court *capias* and certificate or charter to a private corporation.

Section 2. In addition to the fee to be collected by the Probate Judge as set forth in the preceding section of this Act, the County Commission, Board of Revenue, or like governing body of the county may impose an additional fee not to exceed Two Dollars (\$2.00) for filing for record or for recording every contract, deed, real estate mortgage, plat, marriage license, official bond, bond of personal representative such as executor or administrator, decree appointing guardians of minors or persons of unsound mind, or character to a private corporation. Under no circumstances may the total fee imposed hereunder exceed Three Dollars (\$3.00).

Section 3. By the tenth (10th) of the month following collection all funds so collected shall be paid by the Probate Judge into the treasury of Madison county and kept in a fund to be designated the Mental Health Fund. Expenditures from said fund shall be for the benefit and furtherance of the mental health program in the county. The chairman of the County Commission, or like official, shall have the power to act for the county commission, board of revenue, or like governing body of the county in the withdrawal and payment of monies from the Mental Health Fund.

Section 4. This Act is cumulative. Nothing herein contained shall alter or change any existing law relating to charges and fees to be collected by the Probate Judge of Madison County.

Section 5. The provisions of this Act are severable. If any section or provision of this Act is declared to be unconstitutional or invalid such declaration will not affect the constitutionality or validity of the remaining portion of this Act.

Section 6. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4 July, 11 July, 18 July, and 25 July, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1981. To repeal Act No. 1901, S. B. 1018, Regular Session 1971 (Acts 1971, p. 3091), entitled, "An Act Providing for the collec-

tion of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1980. To repeal Act No. 1326, H. 2114, Regular Session 1971, (Act 1971, p. 2275), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1979. To repeal Act No. 238, H. B. 581, Regular Session 1961, (Acts 1961, V. 1, p. 268), entitled "An Act To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1978. To repeal Act No. 1305, H. B. 2093, Regular Session 1971, (Acts 1971, p. 2350), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Also:

By Messrs. Lutz, Hale, Grainger, Hearn and King:

H. 1977. To repeal Act No. 895, H. B. 1593, Regular Session 1971, (Acts 1971, p. 1659), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal water-works utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any such municipalities."

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1976. Relating to Madison County; providing further for the compensation of election officials.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MADISON**

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Madison County; providing further for the compensation of election officials.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the officers appointed to hold elections, upon proper proof of services rendered, shall each be entitled to four dollars (\$4.00) a day in addition to all other compensation provided for by law. In case of a municipal election or primary, the additional compensation shall be paid by the city or town holding the election or primary; in all other cases the additional compensation shall be paid by the county and no part thereof shall be paid or refunded by the state.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF MADISON**

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Secretary-Treasurer of the The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1975. To repeal Act No. 1478, S. 1015, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1974. To repeal Act No. 1329, H. 2117, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000 according to the 1960 or any subsequent federal decennial census."

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1971. To repeal Act No. 202, S. 133, Third Special Session 1971, (Acts 1971, p. 4468), entitled, "An Act To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1973. To repeal Act No. 1391, H. 2306, Regular Session 1971 (Acts 1971, p. 2571), entitled "An Act Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law."

Also:

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 1957. To repeal Act No. 2314, S. 1086, Regular Session 1971, (Acts 1971, p. 3737), entitled, "An Act To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census."

Also:

By Messrs. Lutz, Grainger, Hale, King and Hearn:

H. 1956. Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County and the Twenty-Third Judicial Circuit, all Solicitor's or District Attorney's fees hereafter taxed as costs and collected in criminal cases shall be paid by the Clerk of the Court collecting fees into the Treasury of Madison County, in a fund to be designated the District Attorney's Fund and shall be kept, used and expended in the manner hereinafter provided. Such payment shall be made by the 10th day of each month following collection. All monies in any Solicitor's Fund affected at the passage of this Act shall be paid immediately into the District Attorney's Fund and shall be kept, used and expended in the manner hereinafter provided.

Section 2. The District Attorney of Madison County and the Twenty-Third Judicial Circuit is hereby authorized to requisition expenditures from the said District Attorney's Fund for the payment of the following items: (a) office supplies, postage and telephone; (b) Necessary expenses relative to obtaining evidence; (c) films, photos and maps; (d) travel expenses at the rate authorized by law for state officials; (e) continuing legal education and conferences; (f) professional dues and assessments; (g) professional books and periodicals for use in the office of the District Attorney; (h) witness fees and transportation costs; (i) for any other law enforcement or criminal prevention purpose.

The Madison County Board of County Commissioners shall pay for such items out of the District Attorney's Fund upon such requisition and upon certification made to the Board by the District Attorney that the funds requested were or are to be used for the purposes enumerated in this section of this Act.

Section 3. The Board of County Commissioners of Madison County is authorized to make expenditures from the District Attorney's Fund for the defense of indigent defendants in any County Court in the county upon the certification of the Judge of such Court that the defendant was entitled to a defense at public expense in accordance with existing law; provided however, that no expenditures authorized by this Section 3 shall be made by the Board of County

Commissioners of such county until it is determined by the Board that there are sufficient monies in the fund or to become due to the fund to meet the expenditures required to be made under Section 2 of this Act.

Section 4. The Board of County Commissioners is authorized to make expenditures from the District Attorney's Fund upon requisition and certification made to the Board by the Presiding Judge of the Twenty-Third Judicial Circuit, a sum not to exceed \$4,000.00 during any fiscal year, to assist the judges of the circuit and the judges of the County Courts of Madison County for education and judicial purposes; provided however, that no expenditures authorized by this Section 4 shall be made by the Board of County Commissioners until it is determined by the Board that there are sufficient monies in the fund or to become due to the fund to meet the expenditures required to be made under Section 2 of this Act.

Section 5. On the first day of each and every fiscal year, said fiscal year beginning on the first day of each October and ending the last day of each September, all monies in the District Attorney's Fund which have not been expended as heretofore provided in this Act shall be transferred to the General Fund of Madison County and shall thereafter be expended and used as provided by law.

Section 6. The Chairman of the Board of County Commissioners of Madison County shall have the power to act for the Board upon the requisitions and in the payment of funds from the District Attorney's Fund.

Section 7. All laws and parts of laws which conflict with this Act are repealed.

Section 8. This Act is severable and if any part hereof is held to be unconstitutional, it shall not be construed to affect those parts which remain.

Section 9. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4 July, 11 July, 18 July, and 25 July, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1955. To repeal Act No. 232, H. 253, Third Special Session 1971, (Acts 1971, p. 4501), entitled, "An Act Relating to Solicitor's or

District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census."

Also:

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1969. To repeal Act No. 1392, H. 2307, Regular Session 1971, (Acts 1971, p. 2349), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Also:

By Messrs. Lutz, King, Hale, Hearn and Grainger:

H. 1968. Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the Board of County Commissioners shall have the authority to designate legal names for all public roads, bridges and ferries located within the county which are built with or maintained by county funds, in whole or in part; and, in addition, shall have the authority to establish speed limits upon such roads, which shall be consistent with the speed limits established by the State of Alabama for vehicular travel upon state roads and highways.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4 July, 11 July, 18 July, and 25 July, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1970. To repeal Act No. 1488, S. 1083, Regular Session 1971, (Acts 1971, p. 2553), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1983, 1982, 1981, 1980, 1979, 1978, 1977, 1976, 1975, 1974, 1971, 1973, 1957, 1956, 1955, 1969, 1968 and 1970. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Flippo and Hill:

H. 216. To provide for transfer of certain members of the Employees' Retirement System of Alabama under Section 12 of Act 515 of 1945 Act as amended who are otherwise eligible to become members of the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature.

Also:

By Messrs. Stubbs and Lyons:

H. 1530. To amend Section 3 of Act No. 96, H. 17, approved 1971, Special Session, p. 166, which levies and regulates a privilege tax against persons engaged in the business of leasing or renting tangible personal property, so as to further provide for exemptions from the computation of the amount of the tax levied.

Also:

By Messrs. Erdreich, Doss, Boutwell, Ellis, McBride, McNair, Carnes, Wynot, Wallace, Nettles, Robertson, Meeks, Woods, Cauthen and Adwell:

H. 1349. Relating to income tax exemptions; to exempt from payment of income taxes, certain gains received from the sale of any residence when the gain from such sale is used to purchase a new residence for the seller; and to further provide for exemption from tax for a portion of the gain from the sale of a residence by a person 65 years old or older when no new residence is purchased.

Also:

By Messrs. Smith (P), Warren, Wise, Benton, Wallace, Hobbie, Barkett, Chesnut, Mims, Drake, Connell, Doss, Culver, Lang, Grainger and Easters:

H. 339. To make an appropriation to the department of agriculture and industries for the two fiscal years ending September 30, 1974 and September 30, 1975, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera and African swine fever.

Also:

By Messrs. Waggoner and McBride:

H. 142. To provide that school principals shall supervise the operation and management of schools under policies determined by local boards of education and to assign school principals administrative responsibilities and the coordination of instructional leadership under the supervision of the local school superintendent and to provide that school principals shall have the right to submit to the superintendent recommendations on all personnel.

Also:

By Messrs. Hobbie, Turner, Ellis, Easters, Cauthen, Barkett, Taylor, Callahan, Jones (F), Naramore, Collins, Hill, Culver, Bank, Waggoner, Crowe, Smith (P) and Robertson:

H. 485. To amend Section 458, Title 55, 1940 Code of Alabama, as amended, to permit a retired State Policeman to accept employment within any Department or Agency of the state government of Alabama without being required to become or remain a member of the state retirement system as a condition of their employment, or be denied retirement benefits otherwise earned as a state policeman during such term of employment in a classified position other than state policeman.

Also:

By Messrs. Headley and Smith (P):

H. 985. To amend further Title 51, Section 21, Alabama Code

1940, by further exempting from taxation any tree, bush, vine or other growing thing from which a crop is harvested.

Also:

By Messrs. Cauthen, Cross, Carter and Flippo:

H. 1467. To further amend Section 6 and Section 8 of Act No. 576, H. B. 256, Regular Session 1959 (Acts 1959, p. 1444), as amended, which sections relate to the application for and issuance of annual boat registration certificates, so as to further regulate the application for and issuance of said boat registration certificates.

Also:

By Messrs. Adams, Hearn and Snell:

H. 286. To provide subsistence allowances for law enforcement officers while on duty and to authorize expenditure of funds for that purpose.

Also:

By Messrs. Ellis, Wallace, Faulkenburg, Doss, Timmons, Hughes, Waggoner, McBride, Weeks, Boutwell, Stokes, Downing, Callahan and Headley:

H. 834. To allow officers of the International Association of Firefighters and Fraternal Order of Police time off with pay to attend scheduled meetings of the organizations.

Also:

By Messrs. Culver, Ellis, Connell, Cross, Wise, Mims, Smith (P), Chesnut, Barkett, King, Doss, Smith (K), Wynot, Parker, Owens, Jackson, Lang, Carter, Slate, Porter, Adams, Downing, Cauthen, Headley, Robertson, Hill, Cottingham, Gray (F) and Weeks:

H. 1796. Relating to taxation; providing an additional personal exemption for individual income taxpayers who are blind.

Also:

By Mr. Robertson:

H. 1435. To amend Title 51, Section 2 (f), Code of Alabama 1940, as amended, which relates to exemptions to the state ad valorem tax, so as to provide an exemption for surviving spouses of blind persons.

Also:

By Messrs. Dill, Doss, Downing, Meeks, Falkenburg, Manley, Bank, Callahan, Collins, Jackson, Weeks, McBride, Hughes, Erdreich, Lyons, Burgess, Naramore, St. John and Nettles:

H. 1334. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship loan and awards program for the study of dentistry; replacing Act No. 793 of Acts of Alabama, Regular Session 1965.

Also:

By Messrs. Dill, Doss, Falkenburg, Downing, Meeks, Manley, Bank, Callahan, Collins, Jackson, Weeks, McBride, Hughes, Erdreich, Lyons, Burgess, Naramore, St. John and Nettles:

H. 1335. To provide for a scholarship program for medical education; to repeal Act No. 278 adopted at the First Special Session of 1965 of the Legislature of Alabama and making an appropriation therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 216, 985, 286, 1796 and 1435: To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 1530, 1349, 339, 485, 1334 and 1335: To the Committee on Finance and Taxation.

H. B. 142: To the Committee on Education.

H. B. 1467: To the Committee on Conservation.

H. B. 834: To the Committee on Business and Labor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Bank, Roberts, Waldrop, Coshatt and Falkenburg:

H. 1307. To amend Sections 1, 2, 3, 4, 8 and 9, Title 22 Code of Alabama 1940, as amended, which sections relate to the State Board of Health, so as to further regulate said Board.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1307: To the Committee on Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Burgess, Headley, Reid (R), O'Daniel, Dill, Stewart, Jones (F), Stubbs, Robertson, Wallace, Bowers, Boles, Smith (K), Timmons, Ellis, Brassell and Mims:

H. 315. To provide that medical services furnished needy persons under any State and/or Federal laws or plans shall include such services performed by Chiropractors.

Also:

By Messrs. McBride, Meeks, Dill, Wallace and McMillan:

H. 1825. To provide additional methods of annexing territory

to any city of the State having a population of 300,000 or more inhabitants according to the last or any subsequent federal census.

Also:

By Messrs. Waggoner, Doss, Weeks, Bowers, Wallace, Meeks, Boutwell, Falkenburg, Jones (E), Timmons, Callahan, McBride and Collins:

H. 285. To authorize each of the municipalities in this State to provide buildings and other facilities for lease to and use by one or more regional, national or international association or organization, one or more of the purposes or objects of which shall consist of one or more of the following: the promotion of patriotism or good citizenship, the development of civic pride or consciousness, the improvement of trade, business, professional or economic conditions, or the promotion of health, safety, conservation, community beautification, or community welfare, and the membership of which regional, national or international association, or organization shall include (1) persons, firms or corporations residing or domiciled in not less than twelve of the states of the United States, including at least two such members residing or domiciled in the State of Alabama, or (2) local organizations or clubs with like objects or purposes situated in not less than twelve of the states of the United States, including at least two such organizations or clubs situated in the State of Alabama; to authorize municipalities to acquire one or more projects consisting of buildings for the supplying of offices, storage and related facilities to such regional, national or international organizations, together with any lands or interests therein deemed desirable in connection therewith, to improve, enlarge, expand, equip, furnish, insure and maintain one or more such projects, to lease such properties subject to certain specified requirements, to finance the cost of such acquisition, improvement, enlargement, expansion, equipment and furnishing by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties and to enter into contracts and agreements and to do all acts necessary for or incidental to the performance of the duties and the execution of the powers of a municipality under said Act; to provide that such bonds shall not be subject to the laws of the State of Alabama governing usury; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the Act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder and any deeds or other documents whereby properties are acquired by a municipality under the Act; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that the provisions of Act. No. 217 of the 1967 Special Session of the Legislature which relate to competitive bidding shall not be applicable to any contracts made by municipalities under the Act; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 315. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1825. To the Committee on Local Legislation No. 2.

H. B. 285. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cottingham and Turner:

H. 167. Relating to elections and voting in them; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing that procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

Also:

By Messrs. Stokes, Flipppo, Roberts and King:

H. 439. To provide that apartment house owners who charge a security damage deposit are prohibited from not refunding such deposits to tenants upon vacation by such tenants, unless there occurs damage or waste to the premises over and above ordinary wear and tear; or unless the apartment is left in an unclean condition or unless the tenant leaves without satisfying his debt to the apartment owner and to provide for a penalty damage award against a landlord who violates this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 167. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 439. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Gafford:

H. 1906. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959

(Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

Also:

By Mr. Timmons:

H. 1727. Relating to all counties having populations of 600,000 or more according to the most recent federal decennial census; providing for the conversion of certain time spent in the employment of a county but not as a member of the county's retirement system, into paid membership time in the retirement system for county employees and officers.

Also:

By Messrs. Hobbie, Taylor, Barron, Harris and Jones (F):

H. 1740. Relating to all counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census; providing for supernumerary sheriffs in said county; and, fixing the qualifications, compensation, status and tenure of office for said officials.

Also:

By Messrs. Manley and Pruitt:

H. 2040. To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. Any incorporated municipality in Perry County shall

have the authority, over structures, or parts of buildings and structures, party walls and foundations when the same are found by the governing body of the city to be unsafe to the extent of being a public nuisance from any cause.

Section 2. The term "appropriate official" as used in this Act shall mean any official or employee of the municipality designated by the Mayor or other chief executive officer of such municipality as the person to exercise the authority and perform the duties delegated by this Act. Whenever the appropriate official of such city or town shall find that any building, structure, part of building or structure, party wall or foundation situated in any such city or town is unsafe to the extent that it is a public nuisance, such official shall give the person or persons, firm, association or corporation last assessing the property for state taxes and any lien holder of record notice by personally serving upon such person, firm, association or corporation a copy of said notice to remedy the unsafe or dangerous condition of such building or structure or to demolish the same, within a reasonable time set out in said notice, which time shall be not less than sixty (60) days or suffer such building or structure to be demolished by the municipality and the cost thereof assessed against the property. In the event that such personal service is returned "Not Found" after not less than two attempts, such notice may be given by registered or certified mail. The mailing of such registered mail notice, properly addressed and postage prepaid, shall constitute notice as required herein. Notice of such order, or a copy thereof, prior to the delivery or mailing of the same as required by the immediately preceding sentence, shall also be posted at or within three (3) feet of an entrance to the building or structure, provided that if there is no entrance such notice may be posted at any location upon such building or structure.

Section 3. Within the time specified in such notice, but not more than sixty (60) days from the date such notice is given, any person, firm or corporation having an interest in such building or structure may file a written request for a hearing before the governing body of the municipality, together with his objections to the finding by the said city official that such building or structure is unsafe to the extent of becoming a public nuisance.

The filing of such request shall hold in abeyance any action on the finding of such city official until determination thereon is made by such governing body. Upon holding such hearing, which hearing shall be held not less than ten (10) nor more than sixty (60) days after such request, or in the event no hearing is timely requested, the governing body, after the expiration of sixty (60) days from the date such notice is given, shall determine whether or not such building or structure is unsafe to the extent that it is a public nuisance. Notice of such meeting of the governing body, and that such determination will be made thereat, shall be published one time in a newspaper of general circulation in such city, not less than ten (10) days prior thereto. In the event that it is determined by such governing body that such building or structure is unsafe to the extent that it is a public nuisance, the governing body shall order such building or structure to be demolished. Such demolition may be accomplished by such city by the use of its forces, or it may provide by contract for such demolition. Such city shall have authority to sell or otherwise dispose of salvaged materials resulting from such demolition.

Any person aggrieved by the decision of the governing body at such hearing may, within thirty (30) days thereafter, appeal to the Circuit Court upon filing with the clerk of said court notice of said appeal and bond for security of costs in the form and amount to be approved by

said Circuit Clerk. Upon filing of said notice of appeal and approval of the bond, the clerk of the court shall serve a copy of said notice of appeal on the clerk of said city or town, or upon any person acting in the capacity of clerk, and said appeal shall be docketed in said court, and shall be a preferred case therein. The clerk of said city shall, upon receiving such notice, file with the clerk of the court a copy of the findings and determination of the governing body in proceedings and trial shall be held without jury upon the determination of the governing body that such building or structure is unsafe to the extent that it is a public nuisance.

Section 4. Upon demolition of such building or structure, the appropriate municipal official shall make report to the governing body of the cost thereof, and such governing body shall adopt a resolution fixing the costs which it finds were reasonably incurred in such demolition and assessing the same against the property; provided, however, the proceeds of any monies received from the sale of salvaged materials from said building or structure shall be used or applied against the cost of said demolition; and provided, further, that any person, firm or corporation having an interest in said property may be heard at such meeting as to any objection he may have to the fixing of such costs or the amounts thereof. The clerk of such city or town shall give not less than fifteen (15) days notice of the meeting at which the fixing of such costs are to be considered by publication in a newspaper of general circulation in such city of a notice that the governing body of such city at such meeting will consider the fixing of such costs thereat. The fixing of said costs by the governing body shall constitute a special assessment against the lot or lots, parcel or parcels of land upon which the building or structure was located, and thus made and confirmed shall constitute a lien on said property for the amount of such assessment. Said lien shall be superior to all other liens on said property except liens for taxes, and shall continue in force until paid. The city clerk of the city shall mail a certified copy of the resolution by registered or certified mail to the person last assessing the property for taxes, and a certified copy of such resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of such resolution shall also be filed in the Office of the Judge of Probate of the county in which such city is situated.

Section 5. The city or town shall have the power to assess the costs authorized herein against any lot or lots, parcel or parcels of land purchased by the State of Alabama at any sale for the nonpayment of taxes, and where any such assessment is made against such lot or lots, parcel or parcels of land, a subsequent redemption thereof by any person authorized to redeem, or sale thereof by the State, shall not operate to discharge, or in any manner affect the lien of such city or town for such assessment, but any redemptioner or purchaser at any sale by the State of any lot or lots, parcel or parcels of land upon which an assessment has been levied, whether prior to or subsequent to a sale to the State for the nonpayment of taxes, shall take the same subject to such assessment.

Section 6. Payment of any such assessment shall be made in the manner and as provided for the payment of municipal improvement assessments in the provisions of Title 37, Section 557, Code of Alabama 1940, as the same has heretofore or may hereafter be amended, and upon the property owner's failure to pay such assessment the officer designated by the city to collect such assessments shall proceed to collect the assessment as provided in the provisions of Title 37, Sections 558-569, Code of Alabama 1940.

Section 7. This Act shall be cumulative in its nature, and in addi-

tion to any and all power and authority which any such municipality may have under any other law.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the part that remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and Aug. 2, all in the year 1973.

ALBERT STEWART.

Sworn to and subscribed before me Aug. 2, 1973.

ELIZABETH F. STEWART,
Notary Public, Perry Co., Ala.

Also:

By Messrs. McNair, McMillan, Doss, Waggoner, Erdreich, Wallace, Falkenburg, Boutwell, Hughes, Boles, Bowers, McBride, Weeks and Dill:

H. 1827. To authorize any county in Alabama having a population of 600,000 or more according to the most recent federal decennial census and any incorporated municipality situated therein to cooperate with other governmental subdivisions, public agencies, public corporations and authorities in the construction of new residential water mains and service piping from the main to the water meter of an approved public water supply system and the extension of presently existing approved public water supply system mains and service piping from the main to the water meter to all areas of such county not presently served by an approved public water supply system; to authorize the costs of construction and installation of said mains and service piping from the main to the water meter together with the costs of any improvements made thereon, or any portion of said costs, to be assessed against the property abutting on the streets, avenues, alleys, highways, or other public places so improved or served by said mains or service piping from the main to the water meter to the extent of the increase in value of such property by reason of the special benefits derived from such mains or service piping from the main to the water meter and from their construction, extension or improvement by the county or incorporated municipality; and, as other means of financing such construction, extension or improvement, to authorize the issuance of revenue bonds and the payment of monies out of general and special funds of such county or municipality and out of funds received from the State of Alabama and from the United States Government; and to provide low cost loans to affected property owners.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1906, 1727 and 1827. To the Committee on Local Legislation No. 2.

H. B.'s 1740 and 2040. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Kinsey and Benton:

H. 2057. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, to prohibit the discharge of litter, specifically bottles and cans, sewage and any other trash or debris into the waters of such counties; to provide for enforcement and penalties for violations of the provisions of this act.

Also:

By Messrs. Turner and Cottingham:

H. 2064. To permit the Court of County Commissioners, or any similar or successor governing body of Dallas County to supplement, from County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit the Court of County Commissioners or any similar or successor governing body of Dallas County to supplement, for County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

Be It Enacted by the Legislature of Alabama:

SECTION ONE: The Court of County Commissioners of Dallas County, or any similar or successor governing body for said County, is hereby authorized and empowered, but not required, to pay another, further and additional sum of up to, but not exceeding, SIX THOUSAND DOLLARS (\$6,000.00) per annum as a salary supplement to any Circuit

Judge who resides in said County and who serves the Circuit Court for said County.

SECTION TWO: All funds permitted to be disbursed hereunder shall be payable solely out of the general fund of Dallas County.

SECTION THREE: Any such funds paid as authorized hereunder shall be disbursed in regular monthly installments, the same as other salaries of the County.

SECTION FOUR: This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law; however, no sitting member of the Circuit Court of Dallas County, Alabama, holding such office on the effective date of this act shall receive any funds authorized hereunder except in accordance with the Constitution of Alabama.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the SELMA TIMES-JOURNAL, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for 4 successive weeks, said notice having appeared in the issues of said paper on July 10, July 17, July 24, and July 31, all in the year 1973.

HENRY H. LLOYD.

Sworn to and subscribed before me 1st. day of August, 1973.

JOSEPHINE K. TIPTON,
Notary Public.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2065. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 19 of Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) is hereby amended to read as follows:

"Section 19. (A) All civil cases arising in said court shall be tried by the court without a jury, except the defendant of claimant in any case involving more than \$250.00 and not arising under Chapter 3 of Title 31 of the Code of Alabama and not being a case of unlawful detainer or forceable entry and detainer, may within the time allowed for pleading, file with the clerk a written demand for trial by jury whereupon the clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the jury docket. Provided, however, that there shall accrue in said case costs for docketing it only in the circuit court.

"(B) In all criminal cases the court shall call each case for pleas at least two weeks before it is called for trial. The defendant in each criminal case may demand a trial by jury at any time up to and including the entry of his plea at such call. It shall not be necessary for defendant to be present at such call if there is filed on his behalf a jury demand prior to the call. Neither shall the defendant's presence at such call be necessary if there is filed on behalf of the defendant at any time before arraignment a plea of not guilty. A defendant may orally request a trial by jury at the time of the call of the case for a plea which such request shall be noted by the trial court upon the bench notes and at all other times the demand for a trial by jury must be in writing. Upon the receipt of a demand for trial by jury as herein provided, the clerk shall at once transfer the case to the Circuit Court of Marshall County where it shall be placed upon the criminal jury docket. Provided, however, such cases so transferred shall accrue court costs for being docketed only in the circuit court.

"(C) Provided, however, the following cases shall not be transferred to the Circuit Court of Marshall County upon a jury demand but shall stand for trial in the County Court of Marshall County and be appealable to the circuit court as provided by the general laws of the State of Alabama:

"(1) Proceedings under Article 3 of Chapter 4 of Title 34 of the Code of Alabama of 1940 as recompiled in 1958 as now or as may hereafter be amended or recodified; and

"(2) Proceedings under Chapter 2A of Title 27 of the Code of Alabama of 1940 as recompiled in 1958 as now or as may hereafter be amended or recodified."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,
MARSHALL COUNTY.

Before me, a Notary Public, in and for said State and County personally appeared the undersigned, Jesse A. Culp who being first duly sworn according to law, desposes and says that he is the publisher of The Sand Mountain Reporter, a newspaper of general circulation, published at Albertville, in Marshall County, Alabama; that the attached notice, which is a part of this affidavit, was published in the issues of said newspaper, dated July 14, July 21, and 28 and Aug. 4, 1973.

JESSE A. CULP,
Publisher.

Sworn to and subscribed before me this 6th day of August 1973.

LINDA BROWN,
Notary Public.

Also:

By Messrs. Kinsey and Benton:

H. 2066. To make it a misdemeanor to pick wild sea oats on the beaches of counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

Also:

By Mr. Reed (T):

H. 2068. Applicable to any county having a population of not less than 24,500 nor more than 25,000 according to the last federal decennial census; to provide further for the sale of alcoholic beverages in hotels or motels of such county.

Also:

By Messrs. Crowe and Naramore:

H. 2072. Applicable to any county having a population of not less than 55,500 nor more than 56,500 according to the last federal decennial census; to provide an additional compensation for the members of the board of registrars of such county.

Also:

By Mr. Gray (F):

H. 2073. Applicable to any county having a population of not less than 24,500 nor more than 25,000 according to the last federal decennial census; to provide for a deputy registrar for such county.

Also:

By Messrs. Drake, St. John and McDonald:

H. 2075. To provide for the payment of expense allowances to members of the Board of Registrars, Jury Commission, and Board of Equalization of any county having a population of not less than 50,000 nor more than 52,500 according to the last federal decennial census.

Also:

By Messrs. Waldrop and Carnes:

H. 2076. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; allowing establishments that presently have on premise licenses from the Alcoholic Beverage Control Board to sell draft beer without obtaining additional licenses.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2057, 2064, 2065, 2066, 2068, 2072, 2073, 2075 and 2076. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 1950. Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only the the City of Huntsville in Madison County in connection with the provisions for an elected board of education as provided for in Act No. 796 of the 1971 Regular Session, as amended.

Section 2. City boards of education elected under the provisions of said Act shall meet on the day following each election of members to such boards, and each such board shall elect one of its members to serve as president and one to serve as vice president and shall conduct such other business as may properly come before th board.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE

NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me 8-3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1972. Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In Madison County, there is hereby created and established a personnel department for the government and control of all employees and appointees holding positions in the classified service, as defined in Section 4.

(b) The personnel department shall consist of a personnel board and a personnel director. The personnel board shall consist of three members, one to be appointed as a joint appointee by the Sheriff of the County, the Circuit Court Clerk, the County Judge and the District Attorney; one to be appointed by the county governing body; and one to be appointed as a joint appointee by the County Tax Assessor, the County Tax Collector, and the Probate Judge. The current members of the Personnel Board shall continue to serve until the end of their respective terms. At the expiration of the term of each member, his successor shall be appointed for a term of six years.

(c) The members of the board shall be qualified electors of the county. No person shall be appointed to the board who holds any salaried public office or employment with the county, nor shall any member, while a member of the board or for a period of one year after he has ceased to be a member, be eligible for appointment to any salaried office or employment in the service of the county or any county elective office.

(d) The board shall hold one regular meeting each month and such special meetings as it shall deem necessary. The members of the board shall receive Fifteen Dollars (\$15.00) per diem for each meeting of the board they attend. The board shall not meet in excess of thirty days per year; provided, however, that the time consumed by the personnel board in hearings conducted under the provisions of Section 10(b) of this Act shall not be counted as a part of said thirty days.

Section 2. The members of the board shall elect one of their members chairman. The board shall determine the order of business for the conduct of its meetings and shall meet on the call of the chairman or by two of the members or by request of the county governing body. Two members of the board shall constitute a quorum for the transaction of business. The functions of the board shall be:

(a) To formulate and promulgate a set of rules to supplement this Act and revisions and amendments thereof.

(b) To act in an advisory capacity to the governing body of the county on problems concerning personnel administration.

(c) As provided by this Act, and by rule, to hear and decide appeals submitted by any person in the classified service as set out in Section 10.

(d) In any investigation or hearing conducted by the board, it shall have the power to examine witnesses under oath and compel their attendance or the production of evidence before it by subpoenas issued in the name of the county. Each member of the board shall have the power to administer oaths to witnesses.

(e) To hold hearing on and adopt or revise the position classification plan. The board shall adopt a position classification plan and class specifications and revisions thereof, allocate and reallocate positions in the classified service to classes.

(f) To establish, after consultation with the governing body of the county and the elective officials of the county, coming within the provisions of this Act, a pay plan for all employees in the classified service. Such pay plan shall include, for each class of positions, a minimum and a maximum rate or rates as may otherwise in specific circumstances be fixed by law and such intermediate rates as may be deemed necessary or advisable by the personnel board; provided, however, that in the establishing of said pay plan for employees in the classified service and the fixing of said minimum and maximum rates the board may not reduce the salary or wage of any employee in the classified service below that which is being earned by said employee at the time of the enactment of this bill into law unless said reduction is an economy measure or is part of a general curtailment program as specified in Section 10 (c) of this Act.

Section 3. The personnel board shall appoint a personnel director whose duty it shall be to act in the capacity of director for the personnel system. The personnel director may be dismissed only for just cause by the personnel board and said dismissal shall be effected by the filing with the said personnel director of written statement specifying the

reasons for such dismissal. The personnel director shall act as secretary at board meetings, and shall be the board's executive officer, but shall not have a vote in determining the board's policy. He shall perform such duties as are assigned to him by the board. The compensation of the director shall be fixed by the personnel board. The director shall:

(a) Attend all meetings of the personnel board.

(b) Administer all provisions of this Act and the rules established hereunder, not specifically reserved to the personnel board.

(c) Under the direction of the board, prepare rules and revisions and amendments thereof for the consideration of the board.

Section 4. The provisions of this Act shall apply to the following officers and employees in the service of the county:

(a) All employees of the county tax assessor;

(b) All employees of the county tax collector;

(c) All employees of the county sheriff;

(d) All employees of the circuit court clerk;

(e) All employees of the circuit court register;

(f) All employees of the County Court;

(g) All Assistant District Attorneys and all employees of the circuit district attorney;

(h) The director of the county license department and all employees of the director;

(i) Employees of the board of registrars' office;

(j) All employees of the probate judge's office;

(k) All employees of the circuit court, excepting and not including circuit court reporters and bailiffs;

(l) All probation officers of the circuit court;

(m) All other officers and employees in the service of the county except:

(i) Elective officers;

(ii) Members of appointive boards, commissions and committees;

(iii) All employees or appointees of the county board of education, or persons engaged in the profession of teaching or in supervising teaching in the public schools;

(iv) Attorneys, physicians, surgeons, and dentists who with the express or implied permission of any appointing authority or of the county, hold themselves out for employment by others in the same or a like line of work as that performed by them for such appointing authority;

(v) The personnel director provided for by this Act;

(vi) Persons in the "classified service" within the meaning of and subject to the State of Alabama merit system under any present or future law, and so long as any such law remains effective;

(vii) The register of the circuit court.

Offices, positions and employments specifically designated above as coming within the scope of this Act, and other offices, positions and employments not exempted above, shall constitute the classified service of the county. It is intended hereby to include within the classified service of offices, positions and employments now existing, or as they may hereafter exist, in whole or in part from funds of any such county, or the holders of which receive their compensation from any elected official and perform duties pertaining to the office of such elected official or officer except those hereinabove exempted in this Section. It shall be made mandatory, upon the enactment of this bill into law, that all employees hereinbefore designated as included within the "classified service" of the county shall be so included.

Section 5. Any provisions of this Act to the contrary notwithstanding, no person shall be employed or dismissed from a position as court reporter or bailiff of any court in the county except by the consent of the judge under whose supervision such person is to work or does work as a court reporter or bailiff.

Section 6. In addition to such other matters as may be necessary and proper to carry out the intent and purposes of this Act, rules shall be formulated and adopted by the personnel board, establishing specific procedures to govern the following phases of the personnel program:

- (a) The preparation, installation, revision and maintenance of a position classification plan covering all positions in the classified service;
- (b) The formulation of minimum standards and qualifications for each class of position;
- (c) The evaluation of employees during the probationary period;
- (d) The separation from the service of employees through layoff, suspension, dismissal, and for incapacity to perform required duties;
- (e) The maintenance and use of necessary records and forms.

Section 7. During the period of suspension of any employee, or pending final action on proceedings to review the suspension, demotion or dismissal of an employee, the vacancy may be filled by the appointing power only by temporary appointment.

Section 8. All original and promotional appointments shall be for a probationary period of six months during which the employee may be rejected by the appointing authorities at any time without right of appeal or hearing in any manner.

Section 9. (a) Any persons holding a position or employment included in the classified service who, on the effective date of this Act, shall have served continuously in such positions or in some other position included in the classified service for a period of at least six months immediately prior to such effective date, shall assume regular status in the classified service in the position held on such effective date without preliminary examination or working tests and shall thereafter be subject in all respects to the provisions of this Act.

(b) Any other persons holding positions or employments in the classified service, shall be subject to suspension without pay by the appointing power and without right of appeal, but such suspension shall not exceed a total of thirty days in any fiscal year.

Section 10. (a) No employee in the classified service may be demoted, dismissed or reduced in pay without just cause.

(b) Any employee in the classified service who has been demoted,

dismissed or reduced in pay, shall be entitled to receive a written statement of the reasons for such action from the appointing authority within three working days, and he shall have three working days time thereafter within which to file an answer in writing thereto. A copy of such charges and answer shall be filed with the personnel director. In the event the employee files an answer, a copy of the written charges and of such answer shall be transmitted by the personnel director to the personnel board. Within ten working days from the date of the filing of his answer to the written charges, or in the event such written charges have not been made available to him within the time prescribed, then within ten working days after the action taken to demote, dismiss or reduce the pay of the employee, he may file a written demand with the personnel director, requesting a hearing before the personnel board. The board shall then investigate the case and conduct a hearing as provided by this Act and by the rules. Hearings shall be informally conducted and the rules of evidence need not apply.

(c) The provisions of this section shall not apply to reductions in pay which are part of a general plan to reduce salaries and wages as an economy measure or as part of a general curtailment

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, '73, July 11, '73, July 18, '73, and July 25, '73, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6. 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1941. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Madison County and the Twenty-Third Judicial Circuit the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney. These positions are in addition to any positions for office personnel already provided the District Attorney of the Twenty-Third Judicial Circuit.

Section 2. The Administrative Assistant to the District Attorney of Madison County and the Twenty-Third Judicial Circuit is hereby empowered to report all the proceedings of the Grand Juries of the circuit. He shall report all hearings in any county courts and any municipal courts of said circuit when directed to do so by the District Attorney; and shall keep all official records in connection with the office of the District Attorney and under the direction of the District Attorney as the office may require. The Office Manager-Legal Secretary to the District Attorney shall perform the stenographic and clerical duties of the office of the District Attorney and shall manage and direct the stenographical and clerical activities of all other clerical personnel of the office, under the direction of the District Attorney as the office may require.

Section 3. The District Attorney of Madison County and the Twenty-Third Judicial Circuit is hereby empowered to appoint said Administrative Assistant to the District Attorney and said Office Manager-Legal Secretary to the District Attorney. Said Administrative Assistant and Office Manager-Legal Secretary shall be subject to the county wide merit or civil service system, if any such system is in existence in said county.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, '73, July 11, '73, July 18, '73, and July 25, '73, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 1948. Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the governing body of the county is hereby authorized to provide adequate parking for the automobiles or motor vehicles used by petit jurors, grand jurors, witnesses and employees of the state and county having offices in the county courthouse. The county governing body may furnish such parking through the acquisition and operation of parking lots, by contracting with any private or public agency for said purpose under such terms as it may deem necessary and desirable or by reimbursing those persons covered by this act for their personal expenses in securing such parking.

Section 2. All such costs, expenses and payments made by the county governing body of Madison County prior to the passage of this Act are hereby validated.

Section 3. All laws or parts of law which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me 8-3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1943. Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

Be It Enacted by the Legislature of Alabama:

Section 1. In the City of Huntsville in Madison County there shall be the office of recorder who shall have all the power and jurisdiction conferred by law or other recorders of cities in the State of Alabama. The court presided over by the recorder shall be entitled "The Recorders Court" and the Council or other governing body of the City of Huntsville shall elect, designate, and appoint a recorder of such court, whose official title shall be "Presiding Judge of the Recorders Court", and shall further elect, designate and appoint as may deputy recorders, whose office title shall be "Deputy Judges of the Recorders Court" as deemed necessary and proper. In the absence, disqualification, or disability for any reason of the presiding judge and of the deputy judges of said court, the president of the Council or other governing body may designate and appoint an acting judge of such court who must possess the necessary qualifications to be appointed presiding judge as herein provided; and such persons, when so designated and appointed, shall have all power and jurisdiction conferred by law upon recorders in the State of Alabama. No person shall be eligible for the office of presiding judge or deputy judge who is not a duly qualified elector of such city and who is not admitted to the practice of law before the Supreme Court of the State of Alabama. All deputy judges appointed shall have all the power and authority recorders have under the laws of the State.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17 and July 24, all in the year of 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, King, Grainger and Hearn:

H. 1954. Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County prescribing the maximum amount of compensation allowable to members of jury commissions.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County members of the jury commissions shall each be paid the sum of fifteen (\$15.00) dollars per day for the time actually engaged in the discharge of his duties as such member, to be paid out of the county treasury upon the warrant of the probate judge of the county. Such warrant shall be issued by the probate judge upon evidence satisfactory to him that such service has been rendered; but the maximum amount payable to each member shall not exceed one thousand three hundred fifty (\$1,350.00) dollars per annum.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Felix L. Williams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS,

Sworn to and subscribed before me August 8, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1942. To repeal Act No. 1321, H. 2105, Regular Session 1971, (Acts 1971, p. 2272), entitled, "An Act Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census."

Also:

By Messrs. Lutz, King, Hearn, Grainger and Hale:

H. 1953. To repeal Act No. 1509, S. 1025, Regular Session 1971, (Acts 1971, p. 2594), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Also:

By Messrs. Lutz, Grainger, Hearn, King and Hale:

H. 1952. To repeal Act No. 1328, H. 2116, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Also:

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 1951. To repeal Act No. 1330, H. 2118, Regular Session 1971, (Acts 1971, p. 2279), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties."

Also:

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 1949. To repeal Act No. 323, H. 416, Third Special Session 1971, (Acts 1971, p. 4612), entitled "An Act Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census."

Also:

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1945. To repeal Act No. 1481, S. 1024, Regular Session 1971, (Acts 1971, p. 2537), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1946. To repeal Act No. 884, H. B. 1241, Regular Session 1969, (Acts 1969, v. 2, p. 1590), entitled, "An Act Relating to counties having populations of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

By Messrs. Lutz, Grainger, Hale, King and Hearn:

H. 1944. To repeal Act No. 1325, H. 2110, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

By Messrs. Lutz, Hearn, Grainger, Hale and King:

H. 1947. To repeal Act No. 234, H. 255, Third Special Session 1971 (Acts 1971, p. 4504), entitled, "An Act To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1986. To repeal Act No. 1883, S. 1014, Regular Session 1971, (Acts 1971, p. 3064), entitled, "An Act To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H B.'s 1950, 1972, 1941, 1948, 1943, 1954, 1942, 1953, 1952, 1951, 1949, 1945, 1946, 1944, 1947 and 1986. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, Hale, King, Grainger and Hearn:

H. 1966. Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County each judge of the circuit court may appoint a qualified person to serve as secretary. The secretary shall serve at the pleasure of the judge making the appointment, and shall be paid a salary from the general fund of the county, upon certificates of such judge in an amount to be set by the county personnel board, if such exists, or otherwise by the county governing body.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Felix L. Williams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Grainger, King, Hale and Hearn:

H. 1967. To repeal Act No. 1450, S. B. 971, Regular Session 1971, (Acts 1971, p. 2478), entitled "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy."

Also:

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 1965. To repeal Act No. 126, H. B. 393, Regular Session 1971, (Acts 1971, p. 404) entitled, "An Act To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000."

Also:

By Messrs. Lutz, King, Hale, Grainger and Hearn:

H. 1964. Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County court of county commissioners, board of revenue or like governing body may in its discretion appropriate annually from the public funds of the county an amount not exceeding \$5,000.00 as a contingent fund from which shall be paid any entertainment, or promotional expense incurred for and incidental

to the promotion of the economic, industrial or cultural development of the county and from which shall be paid any other equitable and just claim or claims against the county for which the county is not legally liable, and for recovery of which the claimant or claimants have no recourse at law. Any appropriation so made shall be paid by the county treasurer or depository on warrants drawn in such manner as the county governing body may direct. Any unexpended or unencumbered balance in any such contingent fund created under this Act shall revert to the county general fund at the end of such fiscal year.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1963. To repeal Act No. 1477, S. B. 1013, Regular Session 1971, (Acts 1971, p. 2534), entitled, "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Also:

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1962. To repeal Act No. 1331, H. B. 2119, Regular Session 1971, (Acts 1971, p. 2280), entitled "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of

county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Also:

By Messrs. Lutz, King, Grainger, Hearn and Hale:

H. 1961. Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

Be It Enacted by the Legislature of Alabama:

Section 1. In the municipality of Huntsville in Madison County, the planning commission created pursuant to the provisions of Title 37, Section 788 Code of Alabama, as amended, shall consist of twelve members, namely the mayor, or, at the discretion of the mayor, in his stead his administrative assistant, one of the administration officials of the municipality selected by the mayor, and a member of the council to be selected by it as members ex officio, and nine persons appointed by the mayor.

Section 2. The adoption of any plan or amendment by the commission shall be by resolution of the commission pursuant to the provisions of Code Title 37, Section 793 as amended, and shall be carried by the affirmative votes of not less than six members of the commission.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 1960. To repeal Act No. 1306, H. 2094, Regular Session 1971, (Acts 1971, p. 2251), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent federal decennial census, to create a Planning Commission having certain powers, duties and regulations."

Also:

By Messrs. Lutz, King, Hearn, Grainger and Hale:

H. 1959. To repeal Act No. 896, H. 1594, Regular Session 1971, (Acts 1971, p. 1660), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations."

Also:

By Messrs. Lutz, Hearn, Grainger, Hale and King:

H. 1958. Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the register of the circuit court shall be entitled to the following fees in addition to the fees now provided by law for the following services in such cases, to-wit: where

divorce, alimony, maintenance or support is sought, for receiving, keeping, paying out or disbursing or distributing money paid in installments for alimony or for maintenance or support of husband, wife, child or children, person or persons, five per cent on all installments not exceeding one hundred dollars, and one and one-half per cent on the amounts of installments in excess of one hundred dollars.

Section 2. All fees collected under the provisions of this Act shall be paid by the Register of the Circuit Court involved into the county treasury.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me 8-3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1926. To repeal Act No. 2190, H. B. 2769, Regular Session 1971, (Acts 1971, P. 3504), entitled "An Act relating to all counties having a population of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1927. Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, any other provision of the law to the contrary notwithstanding, each judge of the County Court shall have the power and authority to appoint a bailiff to serve in such court. Each bailiff so appointed shall receive a salary equal to the salary paid to the bailiffs of the Circuit Court in Madison County, which salary shall be payable in equal installments out of the treasury of the county upon warrant of the Chairman of the County Commission or like governing body of the county. Each bailiff so appointed shall hold office at the will and pleasure of the judge appointing him.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1928. To repeal Act No. 2282, S. 1220, Regular Session 1971, (Acts 1971, p. 3683), entitled "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1929. To repeal Act No. 2189, H. 2768, Regular Session 1971, (Acts 1971, p. 3503), entitled, "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1930. Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

Be It Enacted by the Legislature of Alabama:

Section 1. The Family Court Division of the Circuit Court of Madison County may assess and collect a fee in the amount of \$15.00 for the filing of each case in such court wherein a juvenile is adjudged to be delinquent under the provisions of Chapter 7, Title 13, Code of Alabama.

Section 2. The fee so collected shall be paid into the general fund of Madison County by the 10th of the month following collection thereof.

Section 3. Any person convicted of violating any of the offenses or provisions of Chapter 7, Title 13, Code of Alabama, may be fined by the Judge of said court in an amount not more than \$500.00.

Section 4. The fines so collected by the Family Court Division of such Circuit Court shall be paid into the general fund of the county by the 10th of the month following collection.

Section 5. This Act is cumulative. Nothing herein contained shall alter or change any existing law relating to fees to be collected in

Madison County by such court or the power, authority or duty of the Judge of such court to impose fines for offenses committed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared LORENE L. HAIRE, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, '73, July 11, '73, July 18, '73, and July 25, '73, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1931. To repeal Act No. 1199, H. 2111, Regular Session 1971, (Acts 1971, p. 2078), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations."

Also:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 1932. Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, it shall be unlawful for any person, firm, corporation, or association to discharge, dispose or negligently to allow the deposit in the public streams of the county, of any wastes composed of raw sewage, industrial wastes or other wastes including any soil, sand, clay, chalk, kaolin, muck, slush or other residue resulting from any excavations or preparations for roads, bridges, industrial, recreational or other building sites, or mining operations, (Not limited to but including hydraulic mining operations), soil testing, reclamation projects or other operations of any nature whatsoever in such manner as to pollute, discolor, contaminate, clog, or divert the public streams in the county; unless said waste is first treated or processed in accordance with the standards promulgated by the Alabama Water Improvement Commission.

Section 2. Any person, firm, corporation or association violating any of the provisions of this Act shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred dollars and may also be imprisoned in the county jail or sentenced to hard labor for the county, for not more than six months. Each day such violation continues shall constitute a separate offense.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, '73, July 11, '73, July 18, '73, and July 25, '73, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1933. To repeal Act No. 1479, S. 1019, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles in such counties and cities."

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1934. To repeal Act No. 1333, H. 2121, Regular Session 1971, (Acts 1971, p. 2282), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1935. Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

Be It Enacted by the Legislature of Alabama:

Section 1. The aggregate of all costs of operating the place or places of detention provided for the detention of juveniles shall be borne share and share alike by Madison County and the City of Huntsville. Salaries and other like current expenses of operation shall be paid by the county in the first instance, and the city commission or council or other like governing body of the city shall reimburse the county for its share.

Section 2. The place or places of detention for juveniles in Madison County and the City of Huntsville shall be under the supervision, management, and control of the judge of the juvenile or family court division of the circuit court of Madison County. Said judge shall appoint all employees of said place or places and said employees shall be

subject to the county wide merit or civil service system, if any such system be in existence in said county.

Section 4. The provisions of this act are severable. If any part of the act is declared in valid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1936. To repeal Act No. 1327, H. B. 2115, Regular Session 1971, (Acts 1971, p. 2277), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1937. To repeal Act No. 1884, S. B. 1021, Regular Session 1971, (Act 1971, p. 3068), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks, which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1939. To repeal Act No. 1389, H. 2304, Regular Session 1971, (Acts 1971, p. 2340), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1938. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County and the Twenty-Third Judicial Circuit, the District Attorney for said judicial circuit is authorized to conduct or cause to be conducted an audit and search of all records pertaining to all funds paid to the District Attorney or any of his assistants or employees for the purpose of restitution on any case of issuing a worthless check or similar charge.

Section 2. All monies paid to the District Attorney of the Twenty-Third Judicial Circuit or any of his assistants or other employees for the purpose of restitution on any case of issuing a worthless check or similar charge, which cannot, after a thorough audit and search of the records, be applied to particular cases pending in the circuit, shall as soon as is practicable after the enactment of this law, be paid by the District Attorney of said judicial circuit into the general fund of the county.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FELIX L. WILLIAMS, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19 and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me 8-3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1940. To repeal Act No. 1492, S. 1088, Regular Session 1971, (Acts 1971, p. 2570), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1966, 1967, 1965, 1964, 1963, 1962, 1961, 1960, 1959, 1958, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1939, 1938 and 1940. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grainger, King, Hearn, Lutz and Hale:

H. 2060. To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Madison County Commission, or other like governing body of Madison County, Alabama, is hereby authorized and empowered to establish a county-wide water and/or sewage system through the purchase, or by otherwise legally taking or assuming control of, any existing water and/or sewage system or authority now existing in the county.

Section 2. The governing body of said county is further authorized and empowered to provide, by appropriate resolution, for the issuance of any and all municipal bonds, or other bonds, by whatever name called, to provide for the purchase and/or operation of such existing water and/or sewage systems or authorities as may be purchased or taken over by the county as hereinabove specified.

Section 3. Said county governing body is further authorized and empowered to employ any and all personnel necessary for the efficient operation of any such county-wide system and is further authorized and empowered to provide any and all equipment, buildings, supplies, of whatever nature, description or type, to effectively implement such a county-wide system as is authorized to be established by this Act.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on June 21, 28, July 5 and 12, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 12th day of July, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Lutz, Hearn, King, Grainger and Hale:

H. 2021. Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County any bank having a combined capital and surplus of one hundred thousand dollars (\$100,000.00) or more, and having an authorized office or place of business in any city or town located in the county shall have the power to establish, maintain, and operate within the limits of the county additional offices or places of business, provided that such bank, before the establishment of any additional offices or places of business, shall first secure the consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the The Hunstville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hearn, Grainger, Hale and King:

H. 2020. To repeal Act No. 24, H. 160, First Special Session 1964, (Acts 1964, p. 45), entitled, "An Act To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

Also:

By Messrs. Lutz, Grainger, Hearn, King and Hale:

H. 2019. Relating to Madison County; fixing the compensation of the judge of the county court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; fixing the compensation of the judge of the county court.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County, the judges of the county court shall receive a salary of \$15,000 per annum, payable monthly out of the county treasury, upon warrants drawn upon the county treasurer or proper custodian of county funds.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the THE HUNTSVILLE TIMES, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me July 24, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Hale, Hearn, King and Grainger:

H. 2017. Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama an application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Madison County; requiring building permits for any structure erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County the county commission, board revenue, or like governing body is authorized and may require, upon passage of an appropriate resolution by the governing body of Madison County, building permits to be issued by a designated official of said county for any home, building, or other structure erected or built within the

county and outside of the boundaries of any municipality located in the county.

Section 2. All homes, buildings or other structures erected or built in Madison County outside of the boundaries of any municipality located in the county shall come within the confines or jurisdiction of the requirements of this Act.

Section 3. The county engineer, or such other county official as may be designated by the county governing body, shall be charged with the duty and responsibility of implementing this Act.

Section 4. Any individual, partnership, association, trust or corporation desiring to erect a home, building or other structure within the area or areas designated hereinabove, shall apply to the county engineer or other person so designated by the county governing body for an application for a building permit prior to erecting any building or other structure within the area or areas designated hereinabove. Upon such application being made, and the proper fee being paid, as hereinafter provided, the county engineer or other person so designated, as herein provided, shall issue a building permit to said person, firm, corporation, business or company.

Section 5. Such application for a building permit shall include a brief and accurate description of the building or structure to be built, to include, but not necessarily limited to, height, dimensions, materials to be used, use and style.

Section 6. The governing body of Madison County shall be authorized to charge a fee, not exceeding \$1.00 per \$1,000 construction costs to issue the permit and this fee shall be required to be paid to the county engineer or other official so designated by the governing body of the county and collected by him prior to the issuance of the building permit and such funds shall be paid by said official to the county governing body and deposited by the governing body into the general fund of said county to defray expenses for the operation of said office.

Section 7. The county governing body shall provide the county engineer or other official charged with the execution of this Act with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expenses and such other conveniences it may consider necessary and proper for the efficient operation of said office.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Felix L. Williams, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Advertising Director of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1973.

FELIX L. WILLIAMS.

Sworn to and subscribed before me August 3, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Lutz, Grainger, Hale, King and Hearn:

H. 2015. Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

Be It Enacted by the Legislature of Alabama:

Section 1. In Madison County it is unlawful for any person, firm, corporation or association to sell or offer to sell any spirituous or vinous liquor except at Alabama Alcoholic Beverage Control Board liquor stores, or to sell or to offer to sell within said county any malt or brewed beverages except within the police jurisdiction of an incorporated municipality thereof; provided however, any wholesaler, distributor, jobber or retailer licensed to sell malt or brewed beverages shall also be authorized to sell draft beer provided said draft beer shall not be held for sale or sold in containers exceeding a maximum capacity of 288 ounces. However, the council or commission of the City of Huntsville may license and regulate the sale of spirituous or vinous liquors and malt or brewed beverages in private clubs within the city limits, and may adopt and enforce such ordinances as may be considered necessary for such purposes. As used in this Act, the term "club" shall have the meaning ascribed to such term in Alabama Code 1940, Title 29, Section 1(f).

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART,
Notary Public.

Also:

By Messrs. Lutz, Hearn, Grainger, Hale and King:

H. 2010. Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of registrars of Madison County shall meet at the county courthouse for the purpose of registering voters on the first Monday in each month, and may also meet an additional one hundred and fifty (150) days in each calendar year any place in the county that it may select.

Section 2. At any meeting of the board applications for registration shall be taken from persons residing anywhere in the county. The court of county commissioners, board of revenue, or like govern-

ing body of Madison County, or the governing body of any city in Madison County, may, in its discretion, employ clerical assistants for the board, fix their compensation, and provide for the payment thereof from the general fund of the county or city.

The board shall meet for the purpose of purging the lists of registered voters and holding hearings thereon at the times now prescribed by law. In addition, the board may purge names from the lists of registered voters at any time the board is in session provided a hearing is held in case the person whose name is proposed to be stricken from the registration lists has become a non-resident of the county or has been convicted of any offense mentioned in Section 182 of the Constitution, and written notice of the hearing and the date thereof is given by the board to such person by first class mail at his last known address at least thirty days before any election and a copy of such notice is forwarded to the sheriff of the county for personal service upon such persons within at least five days after receipt thereof by him, which service must be returned by the sheriff within ten days after receipt thereof by him.

Section 3. The provisions of this Act are cumulative and shall not be construed to repeal or supercede any laws not inconsistent herewith.

Section 4. All laws and parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1973.

LORENE L. HAIRE.

Sworn to and subscribed before me August 6, 1973.

LOUISE J. STEWART.
Notary Public.

Also:

By Messrs. Lutz, Hale, Grainger, Hearn and King:

H. 2018. To repeal Act No. 680, H. B. 954, Regular Session 1967, (Acts 1967, v. II, p. 1507), entitled, "An Act To fix the compensation of the judge of the county court in any county having a population of not less than 170,000 nor more than 300,000 according to the last or any succeeding federal census."

Also:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2016. To repeal Act No. 1701, H. B. 2498, Regular Session 1971 (Acts 1971, p. 2859), entitled "An Act To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure."

Also:

By Messrs. Lutz, Hale, Hearn, Grainger and King:

H. 2014. To repeal Act No. 2490, S. 1016, Regular Session 1971 (Acts 1971, p. 3896), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Also:

By Messrs. Lutz, King, Grainger, Hearn and Hale:

H. 2013. To repeal Act No. 1310, H. 2124, Regular Session 1971, (Acts 1971, p. 2258), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Also:

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 2012. To repeal Act No. 1902, S. 1020, Regular Session 1971, (Acts 1971, p. 3093), entitled "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Also:

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 2011. To repeal Act No. 1877, H. 2112, Regular Session 1971 (Acts 1971, p. 3056), entitled, "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Also:

By Messrs. Lutz, King Grainger, Hale and Hearn:

H. 2009. To repeal Act No. 1475, S. B. 1011, Regular Session 1971 (Acts 1971, p. 2516), entitled, "An Act Relating to registration

of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

Also:

By Messrs. Lutz, King, Grainger, Hearn and Hale:

H. 2008. To repeal Act No. 1332, H. B. 2120, Regular Session 1971 (Acts 1971, p. 2281), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2060, 2021, 2020, 2019, 2017, 2015, 2010, 2018, 2016, 2014, 2013, 2012, 2011, 2009 and 2008. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment.

By Mr. Grainger:

H. 1337. To establish the Alabama Board of Hearing Aid Dealers; to provide for licensure of persons who are dealers and fitters of hearing aids; to provide for the regulation of dispensing and fitting of hearing aids to the public; to provide for hearings for persons who are denied a license or have their license suspended by the Alabama Board of Hearing Aid Dealers; to repeal conflicting Acts, especially Act No. 2425, H. 392, Regular Session 1971 (Acts 1971, p. 3858); and to provide for penalties and punishment for violation of any of the provisions of this Act.

Also:

By Messrs. St. John and Wood:

H. 1250. To authorize any public corporation organized under the provisions of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama to merge into any public corporation organized or the certificate of incorporation of which has been amended under the provisions of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama; to prescribe the means for accomplishing such merger and the effect thereof; and to prohibit any such merger except in cases where the merging corporation was created and the incorporation of the surviving corporation was authorized by the same municipality and the surviving corporation has authority to own and operate any utility system or systems of the same general nature as that or those owned by the merging corporation.

Also:

By Messrs. Ellis, Smith (K), Barkett, Benton, Warren, Roberts, Erdreich, Naramore, Carter, Agee, Timmons, Wise and Edwards:

H. 1623. To amend Title 8, Section 60, Code of Alabama 1940, as amended, so as to include the rainbow trout as a designated game fish.

Also:

By Mr. Hardin:

H. 1699. To amend Sections 3, 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Also:

By Mr. Reid (R):

H. 100. To amend Code of Alabama 1940, Title 48, Section 79, which regulates appeals from final actions and orders of the Alabama Public Service Commission, relative to the time of hearing such appeals.

Also:

By Mr. Downing:

H. 1401. To amend Act Number 755 of the Regular Session of the Legislature of 1967 as amended by Act 1943 of the 1971 Regular Session of the Legislature relating to Supernumerary Tax Assessors, Collectors, License Commissioners and other officials by changing their requirements, qualifications and compensation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1337. To the Committee on Health.

H. B.'s 1250, 100 and 1401. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 1623 and 1699. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Barron and Jones (F):

H. 1284. To provide for the uniform minimum compensation for all deputy sheriffs in every county in the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1284. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Headley:

H. 1262. To create a Governor's Advisory Committee on Regional Planning, Development and Service Delivery to advise the Governor and the Legislature on physical and human resource planning, development, delivery of social services, and related matters within the state and twelve sub-state planning and development districts designated by the Governor's Executive Order under Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084); to provide for its membership; to require such committee to meet with the Governor semi-annually; to make an annual and semi-annual report to the Governor; provide for distribution of the annual report; to provide for the employees of the committee; and to provide for the funds for operation of such committee.

Also:

By Mr. Stewart:

H. 46. To require the tax assessor of each county in this state to assess and estimate a value on all real and personal property therein, including all property which is exempted from ad valorem taxation.

Also:

By Messrs. Bank, Robertson, Headley, Therrell, Perloff, Drake, Owens, Taylor, Smith (P), Wood, Culver, Hobbie, Ellis, Parker and Stubbs:

H. 1171. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1973-74 and 1974-75; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1262 and 46. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1171. To the Committee on Business and Labor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lyons:

H. J. R. 187. "WHEREAS, through more than 150 years the Legislature of Alabama has sought to recognize and honor distinguished sons of this great State who have in the character and magnitude of their contributions indelibly impressed their mark forever upon the peoples who live here, not only in their own time but also in the years to come.

Frank Park Samford is such a man, and this Legislature seeks to pay him tribute. He carries the name of one of Alabama's most illustrious families whose works have been known in service to the State and its people in many ways. His grandfather, William J. Samford, sat in the Constitutional Convention of Alabama in 1875 and died while holding the office of Governor of this State to which he was elected in 1900. His father, William Hodges Samford, sat on the Alabama Constitutional Convention in 1901, and later served for almost thirty years as a distinguished jurist on the Alabama Court of Appeals. Worthy and high the honor and service of those who came before him, they cannot exceed those which he himself deserves in the outstanding contributions to his fellow citizens and to this State.

A native of Troy and a graduate of Auburn University, Frank Park Samford began his distinguished career in the life insurance business in 1914 when he became the first Deputy Insurance Commissioner of Alabama. Upon leaving the office of the Regulator he joined a small struggling fraternal benefit society by the name of Heralds of Liberty and this year retired as Chairman of the Board of Liberty National Life Insurance Company, the successor to Heralds of Liberty, and one of the twenty largest stock life insurance companies in the United States. It is the largest life insurance company in Alabama and Alabama's largest financial institution. With its Home Office in Birmingham the company is licensed to do business in thirty-four states and the District of Columbia. Nearly 1,000 persons are employed in its Home Office and an additional 1,500 persons work out of its 70 district offices located throughout the State of Alabama. Though life insurance has been his business, his career has been to serve the people of this State in many ways. He has served as United Appeal Chairman of Jefferson County Community Chest, as a member of the Birmingham Housing Authority, President of Jefferson County TB Sanitarium, State Vice Chairman of the War Finance Committee in World War II, Chairman of Christmas Seal Campaign, Chairman of fund raising campaign to secure the U.S.S. Alabama Battleship for Mobile in 1964. He has served as Director of the Birmingham YMCA and YWCA; on the Board of Directors of Birmingham Baptist Hospitals; for many years as a Trustee of Auburn University and Chairman of the Board of Trustees of Samford University, an institute of higher learning in Birmingham with an enrollment of more

than 3,000 men and women from all parts of the country, who attest his interest. Hospitals, religious organizations, and other charities have known his work and received his gifts.

Birmingham recently celebrated its Centennial and the citizenry selected him as the "Greatest Businessman in Birmingham's First Century". "Man of the South" and "Man of the Year" he has been designated by various organizations. The Alabama Broadcasters Association named him "Citizen of the Year". He has been named to the Academy of Honor of the State of Alabama, honored by the Alabama Sheriff's Boys Ranch, awarded the Gold Medal of Merit by the Veterans of Foreign Wars, given the Valor Award for Outstanding Service to Boyhood by the Birmingham, Alabama Council of the Boy Scouts of America. Howard College of Birmingham, Auburn University and the University of Alabama have bestowed upon him honorary Doctor of Laws degrees.

Atop the Home Office building of his Company stands a 31 feet high, 20,000 pound replica of Bartholdi's Statue of Liberty. Her lighted torch over the skyline of the city serves as a visible and vigilant reminder of our heritage of freedom, a project worthy of special commendation by Freedom Foundation at Valley Forge for its contribution to the remembrance of the ideals of our founding fathers. Through the concern of Frank Park Samford over 200 public schools and libraries throughout this State have received the great documents of freedom published by the American Bar Association in 1959 as the "Sources of Our Liberties". The Magna Carta and Bill of Rights are to Frank Park Samford more than ancient documents from other days; they are eternal verities for all people for all time.

He has been friend and advisor to those who serve in high office and friend and advisor to those who serve in less lofty places. In all he has served this State and its peoples in a manner befitting this recognition.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we hereby honor Frank Park Samford on his 80th birthday on November 1, 1973 and hereby declare that November 1 of each year be designated "Frank Park Samford Day" to honor the worth of this worthy son, to recognize his contributions and his achievements, and to serve as an inspiration for those who now serve and who yet may serve this State in similar ways in high places and noble achievement."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 187, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 796, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 796, with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

August 14, 1973

To the House of Representatives
State Capitol
Montgomery, Alabama
Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, House Bill No. 796 without my approval and with a suggested Executive Amendment.

It is suggested that Article 1, Section 1.07 be amended by deleting the following sentence from the fourth paragraph in the section, and where it might otherwise appear in the said section:

"Notwithstanding any provision of any other statute or statutes there shall be no requirement that, in the election of the first council, an elector must vote only in the district of his residence."

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor of Alabama.

August 14, 1973

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 796, by a vote of Yeas 63, Nays 0, which was a majority of the whole number elected to the House.

And said Bill:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and

compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

As amended by the amendment proposed by His Excellency, the Governor, was again read and passed by a vote of Yeas 63, Nays 0, which was a majority of the whole number elected to the House.

And said bill together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Pierce, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 796, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen
Bailes	Gilmore	Lybrand	Pierce
Branyon	Givhan	McLain	Shelby
Carr	Harris	Malone	Vacca
Clark	Hawkins	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilson
Dozier	Lindsey		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 796, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen
Bailes	Gilmore	Lybrand	Pierce
Branyon	Givhan	McLain	Shelby
Carr	Harris	Malone	Vacca
Clark	Hawkins	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilson
Dozier	Lindsey		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

REPORTS OF COMMITTEES

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Owens and Lyons:

H. 1132. To provide a method by which an insurance company incorporated under the laws of this State may, by resolution of its board of directors, apply any part or all of its capital surplus to the elimination or reduction of any deficit, however incurred.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Mims, Lang, Adams, Downing and Barkett:

H. 517. Relating to the uniform commercial code, amending Sections 9-403 through 9-407, inclusive, of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), respecting the filing of secured transactions, so as to increase the fees to be paid the filing officer for the performance of certain duties.

By Messrs. Pruitt, McCorquodale and Lyons:

H. 669. To amend Section 2 of Act No. 63 passed at the Extraordinary Session of the Legislature of Alabama of 1971 and approved April 27, 1971, relating to the uniform disposition of unclaimed and abandoned property, so as to provide for the disposition of traveler's checks and money orders that have been outstanding for more than 15 years from the date of issuance; to amend Section 11 of said Act to provide for the omission from the report required by Section 11 of certain information as to traveler's checks and money orders; to amend Section 12 of said Act so as to exempt sums payable on traveler's checks and money orders from the provisions of Section 12; and to amend Section 13 of said Act in the case of sums payable on traveler's checks or money orders presumed abandoned, to provide for the payment of such sums within 20 days after the filing of the report required by Section 11.

By Mr. Falkenburg, et al:

H. 734. To amend Title 45, Section 144, Alabama Code, 1940, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

By Mr. Foshee:

S. 898. To authorize the Director of the Department of Public Safety to retain on a contractual basis such persons as he deems necessary effectively to support the Department of Public Safety and local law enforcement efforts in apprehending violators of the criminal statutes of the State of Alabama, including efforts aimed at combating the menace of narcotic and drug abuse.

Mr. Cook, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Harris, Barron, Hobbie and Jones (F):

H. 1682. To transfer the historic property known as the Powder Magazine owned by the Finance Department of the State of Alabama to the City of Montgomery.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gafford, et al:

H. 892. To amend Section 3 of Act No. 530, H. 1096, Regular Session 1959 (Acts 1959, p. 1305), so as to further provide for voter re-identification in all counties in the state having a population of 500,000 or more according to the last or any subsequent federal census.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Falkenburg, et al (with notice and proof) (With Amendment):

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

By Mr. Ellis, et al (With Amendment):

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McBride, Doss, Boles and Hughes:

H. 1615. To apply to all counties having populations of 500,000 or more inhabitants according to the last or any subsequent federal decennial census; to provide and require that in the condemnation of lands for ways and rights of ways for sewer lines and water lines the value of any enhancement to the remaining lands of such owner or owners that such sewer line or water line may cause shall be applied to reduce or off-set the value of any land or right-of-way taken or damages to the remainder for the construction of such sewer line or water line.

By Mr. Erdreich, et al:

H. 1621. To grant to any Civic Center Authority now or hereafter incorporated in any County having a population of more than 500,000, according to the last or any subsequent Federal census, organized under the provisions of Act No. 547, enacted by the Legislature of Alabama at its 1965 Regular Session and approved August 20, 1965 (Acts of 1965, pp. 797, et seq.) as amended, the power and authority to borrow money,

to issue as evidence of its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the refunding thereof by the issuance of notes or bonds.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Waggoner (With Amendment):

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell, et al:

H. 1780. To amend Section 2 of Act No. 965, H. 1396, Regular Session 1969 (Acts 1969, p. 1710) which provides for the salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census; so as to further provide for such salary.

By Mr. McBride, et al:

H. 1824. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, page 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the

Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Boles, Gafford, Hughes and Doss (With Amendment):

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McMillan:

H. 1868. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction or otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

By Mr. Hughes, et al (with notice and proof):

H. 1886. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. O'Daniel:

H. 938. To provide for employment of Industrial Developers by the Alabama Development Office as non-merit system employees.

By Messrs. McCorquodale, Lyons and Crowe:

H. 1630. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

By Messrs. McCorquodale, Lyons and Crowe:

H. 1631. Relating to taxation, to provide for an exemption from ad valorem taxation of personal property in transit through this state, or in storage in a public or private warehouse or other storage facility for shipment to a destination outside this state, to declare the policy of this state to encourage the development of this state as a distribution center; to provide for certain warehouse or storage facility records with regard to such property; and to repeal inconsistent laws.

By Mr. Grainger, et al:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Register (with notice and proof):

S. 885. To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and Mobile home parks situated outside the corporate limits of any municipality in the county.

By Mr. Register (with notice and proof):

S. 886. To establish a Civil Service System for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

By Mr. Register (with notice and proof):

S. 887. To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

By Mr. Horne:

S. 892. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

By Mr. Horne:

S. 893. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

By Mr. Owen:

S. 895. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing an annual expense allowance for the sheriff of such counties.

By Mr. Harris:

S. 924. Relating to any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; further regulating the expense allowances of the tax assessor and tax collector.

By Mr. McLain:

S. 925. Pertaining to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; establishing, subject to a referendum, a Charter Commission for the purpose of proposing a Charter for the consolidation of such counties and the municipalities situated therein; fixing the powers and duties of said Commission, providing for its membership and the payment of expenses.

By Mr. Baker (with notice and proof):

S. 926. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

By Mr. Baker (with notice and proof):

S. 927. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

By Mr. Baker:

S. 928. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

By Mr. Baker (with notice and proof):

S. 929. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

By Mr. Baker:

S. 930. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

(The above bill was read a second time at length as required by the Constitution.)

By Mr. McLain:

S. 931. Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

By Messrs. Robertson and Bank:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

By Mr. Barkett (with notice and proof):

H. 1445. To amend Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama, so as to provide further for certain fees and costs of court.

By Mr. Robertson (with notice and proof):

H. 1556. To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

By Mr. Williams (with notice and proof):

H. 1654. To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

By Mr. Williams:

H. 1779. Relating to all counties having a population of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

By Messrs. Carnes, Wynot and Waldrop:

H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

By Messrs. Grainger, Lutz, King and Hearn:

H. 1888. To require that all district attorney's fees taxed and collected in all reciprocal support cases in the Twenty-Third Judicial Circuit shall be paid into the District Attorney's Fund of the county composing such circuit.

By Messrs. Lutz, Grainger, King, Hearn and Hale (with notice and proof):

H. 1909. Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the Clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

By Messrs. McDonald, St. John and Drake (with notice and proof):

H. 1916. To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

By Mr. Lindsey (with notice and proof):

S. 817. Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

By Mr. Wilson:

S. 876. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

By Messrs. Drake, McDonald and St. John (with notice and proof):

H. 1362. Applying to Cullman County; to increase the expense allowance of certain county officers.

By Messrs. McDonald and Drake:

H. 1485. Relating to the twenty-seventh judicial circuit; to provide for an expense allowance of \$3,600.00 per year to the district attorney of said judicial circuit to be supplemented by any county located in said district, in addition to any regular compensation.

By Messrs. Wise and Jackson (with notice and proof):

H. 1836. To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McNair, et al:

H. 1828. To prohibit, in any county having a population of 600,000 or more according to the most recent federal decennial census, the occupancy of any building or structure any part of which is situated upon real property which abuts or joins that part of a street, alley, public way or right of way within which is situated pipe or mains of an approved public water supply system and which is not directly connected to water mains or pipes of an approved public water supply system; and to prohibit, in such counties, the sale or distribution of insanitary, impure or unwholesome water.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Perloff, et al (With Amendment):

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Sections 827 (1) thru and including Section 827 (6), as last amended, of Title 7 of the Code of Alabama shall apply to and govern procedures in such courts.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dill:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Mr. Wilson, Chairman of the Standing Committee on Finance and

Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stubbs, et al (With Amendments):

H. 1273. To amend Section 257, subsection (d) of Section 262, Sections 263, 269, 270, 271, 272, 273, 277, 279, 280, 283, 285, 286, 289, 292, 293, 301, paragraphs (2), (4) and (5) of Section 309, Sections 312 and 324, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 4, 6, 7, and 12 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 3, 5, 6, and 11 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 3, 5, 6, and 11 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, and to repeal Sections 255, 256, 274, 275, 276, all being of Chapter 5, Title 26, Code of Alabama 1940, as last amended, Sections 5 and 8 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as last amended, Sections 4 and 7 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as last amended, and Sections 4 and 7 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as last amended, relating to providing compulsory coverage of subject employers and employees, extending coverage to common carriers but specifying certain persons not to be employees of common carriers, allowing elective coverage of farmers, providing immunity under certain circumstances from suits to co-employees, to workmen's compensation insurance carriers of employers and to persons or companies making certain safety inspections, extending the presumption of dependency to include husbands, increasing the maximum and minimum weekly compensation payable, extending the maximum number of weeks payable for permanent total disability and for death, increasing the amount payable for burial expense, reducing the number of days of disability required before compensation is payable for the waiting period, providing for a penalty for late payments of compensation, increasing medical benefits and extending the period during which such benefits are payable, specifying coverage of physical rehabilitation as a medical benefit, providing for a change of physician under certain circumstances, increasing the basis of calculation whereby an employer may be discharged from the payment of future installments of compensation, providing for additional reports to be filed with the Department of Industrial Relations, authorizing the Director of Industrial Relations to require self-insured employers to post bond or securities and to prescribe other rules and regulations regarding self-insurance, providing for the applicability of and effect of Articles 1, 2 and 3 of Chapter 5, Title 26, Code of Alabama 1940, as amended, providing for penalties for the failure to secure compensation liability and for failure to file reports, permitting the parties to agree as to the intervals at which certain benefits shall be paid, and appropriating \$47,000 for the fiscal year beginning October 1, 1973, and ending September 30, 1974, and \$46,000 for the fiscal year beginning October 1, 1974, and ending September 30, 1975, out of the general fund of the State Treasury to the Department of Industrial Relations for carrying out the purpose of this Act, all relating to the Workmen's Compensation Law, Articles 1, 2, 2A, 2B, 2C, and 3 of Chapter 5 of Title 26 of the Code of Alabama 1940, as last amended, pertaining to compensation of employees by employers for job-related injuries and certain illnesses and diseases.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable

report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McCorquodale and Lyons:

H. 1309. To make a conditional supplemental appropriation to the Department of Public Safety for the fiscal years ending September 30, 1974 and September 30, 1975.

By Mr. Cauthen, et al:

H. 1384. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

By Messrs. Drake and St. John:

H. 176. To amend the title and Sections 1 and 4 of Act No. 1134, S. 519, Regular Session 1969 (Acts 1969, p. 2099), which act provides for certain school lunchroom managers and assistant managers to become members of the Teachers' Retirement System of Alabama and to receive the benefits therefrom, subject to certain conditions, and which appropriates certain funds to carry out the provisions of said act; so as to include all regularly employed workers in school lunchrooms within the provisions of said act, and to provide an additional appropriation for the purposes of carrying out the provisions of this act.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Turnham, et al (With Amendment):

H. 289. To make an appropriation from funds in the State Treasury to the credit of the General Fund for the purpose of constructing and equipping a building to house a livestock and poultry disease diagnostic laboratory and an agricultural chemistry laboratory at Auburn, Alabama for use by the Department of Agriculture and Industries.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Turnham, Brassell and Adams:

H. 566. Relating to the thirty-seventh judicial circuit; providing for additional circuit court judge in such circuit.

By Mr. Culver, et al:

H. 1014. To create a commission called The Good Neighbor Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1974-75 bienium providing for transportation facilities for the commission and for expenses of the commission.

By Mr. Stubbs:

H. 2. To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

By Messrs. Kinsey and Benton:

H. 401. To amend Act No. 880, H. 675 of the Regular Session of 1965 which applies in all counties having populations of 60,000 or more according to the 1960 federal decennial census and special courts where probation services for juvenile delinquents is not now provided by the Department of Pensions and Security and regulates the expenditure of state and county funds to pay for the cost of the salaries of juvenile court probation officers in such counties, and makes an appropriation therefor, amending such Act so as to make such Act apply to counties having populations of 59,000 or more according to the most recent federal decennial census.

By Mr. Hill, et al:

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the appointment of a State Youth Services Director, and to prescribe the powers, duties, and qualifications of the said Director; to transfer control of the state training schools to the department; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for violation of this Act.

By Mr. Turnham:

H. 1558. To authorize the Alabama Public School and College Authority to sell and issue \$5,475,000 aggregate principal amount of additional bonds for capital improvements for Auburn University, and more particularly to modernize the Agricultural Experiment Station by relocating and developing modern new field research facilities for the Main Station and certain facilities at certain outlying stations, to provide a base for a major expansion in agriculture and forestry; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the

bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

By Mr. Doss, et al:

H. 1571. To make a conditional appropriation for Capital Outlay purposes at the University of Alabama in Birmingham for the 1974-75 bien-nium.

By Mr. Givhan:

S. 123. To make an appropriation to the department of agriculture and industries for the two fiscal years ending September 30, 1974 and September 30, 1975, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera and African swine fever.

By Mr. Bailes:

S. 328. To change the effective date of Act No. 392, General Acts 1967, page 979, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Weaver (With Amendment):

S. 354. Relating to circuit court; authorizing the employment of confidential assistants to provide secretarial and other services for circuit judges in the state; prescribing the method of appointment, duties and compensation of said confidential assistants; and appropriating funds from the state treasury for such compensation.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Baker:

S. 406. Relating to taxation; exempting Shrine Temples which are Temples of the Ancient Arabic Order of Nobles of the Mystic Shrine for North America from the levy of the state sales and use tax.

By Messrs. Jones and Pierce:

S. 417. To exempt the Montgomery Fellowship Houses, Inc. from the payment of all state, county and municipal sales and use taxes.

By Mr. Noonon:

S. 452. To create a commission called The Good Neighbor Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1973-75 biennium; providing for transportation facilities for the commission and for expenses of the commission.

By Mr. Shelby:

S. 460. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation for defraying the necessary expenses of the Alabama Commissioners to the National Conference of Commissioners on Uniform State Laws, and providing for a contribution by this State to said Conference.

By Messrs. Wilson and Branyon:

S. 464. To provide for the establishment, regulation of, and an appropriation for the financing of a scholarship loan and awards program for the study of dentistry; replacing Act No. 793 of Acts of Alabama, Regular Session, 1965.

By Messrs. Wilson and Branyon:

S. 465. To provide for a scholarship program for medical education; to repeal Act No. 278 adopted at the First Special Session of 1965 of the Legislature of Alabama and making an appropriation therefor.

By Messrs. Harris and Lybrand:

S. 586. To provide that in any county or municipality of this state where either the governing body of such county or municipality levies a certain tax against a person's income earned in said county or municipality then certain persons are exempted from paying such tax.

By Mr. Harris:

S. 689. To make a conditional appropriation of \$250,000 to each district health department created pursuant to Title 22, Section 8, Code of Alabama, Recompiled 1958, which health district is composed of three (3) or more counties with a combined population of more than 125,000.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Wilson (With Amendment):

S. 697. To make an appropriation from the state general fund to supplement the salaries of the deputy district attorneys in the judicial circuits of this state.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Noonan:

S. 701. To appropriate the sum of \$275,000 from the General Fund to the Division of Marine Resources, Department of Conservation and

Natural Resources to be used for regenerating and renewing oyster cultivation in the public waters of this state and to further provide for the reimbursement of the General Fund for the monies herein appropriated at such time as federal grant monies are received by the Marine Resources Division.

By Mr. Littleton:

S. 806. To provide for the establishment of the Alabama Tourism and Recreation Board to promote regional tourism projects within the State and to assist in the organization and funding of regional tourism agencies, established on a multi-county basis.

By Mr. O'Bannon:

S. 854. To appropriate the surplus and residue from the proceeds of the levy of the one mill ad valorem tax for the relief of Confederate soldiers and sailors and their widows to the Department of Mental Health to be distributed to the several counties of the state to be used by such counties for the construction, maintenance and operation of community mental health-mental retardation centers in this state or for matching state and federal funds for such purposes; and to repeal Section 25 of Act No. 703, H. 544 of the Regular Session of 1951 (Acts 1951, p. 1224).

By Mr. Pelham:

S. 883. To amend Section 2 of Act No. 160, H. 59, Third Special Session 1971 (Acts 1971, p. 4404), entitled "An Act To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama," so as to add a proviso that the Department of Revenue shall not have any authority or power to establish any rule, regulation, criteria or standard that shall require or allow any appraisal of real property to include the inside inspection of any human residence in this state.

By Messrs. Littleton, Owen and Foshee:

S. 509. To amend Code of Alabama, 1940, Title 52, Sections 364 and 365, which relate to the Teachers' Retirement System, amending such sections in relation to membership service creditable toward retirement.

By Mr. McLain:

S. 110. To provide for the retirement of teachers who are members of the Teachers' Retirement System of Alabama who have 30 years creditable service regardless of age and to modify all laws or parts of law in conflict with the provisions of this Act.

By Mr. Wilder:

S. 127. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended, to provide for the addition of one member of the Alabama Retired Teachers Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Collins (with notice and proof):

H. 273. To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 p. 356) Entitled "An Act To Fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

By Mr. Collins (with notice and proof):

H. 411. To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.

BILLS ON THIRD READING

The Bill:

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hawkins	McLain	Weaver	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham	
Bailes	Fine	McLain	Pierce	
Baker	Foshee	Malone	Register	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	O'Bannon	Weaver	
Clark	Horne	Owen	Wilder	
Cook	King			—25

Nays:

—0

The Bill:

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Hawkins	Melton	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Clark	Hawkins	Malone	Vacca	
Cook	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1712. Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	Lybrand	Shelby	
Carr	Hawkins	Malone	Weaver	
Clark	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Fine	Littleton	Shelby	
Baker	Foshee	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1714. To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Foshee	McLain	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Horne	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Fine	Lybrand	Pierce	
Baker	Givhan	McLain	Register	
Carr	Hawkins	Malone	Shelby	
Clark	Horne	Melton	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1433. To allow the county commission of any county having a population of not less than 10,900 nor more than 11,500, according to the last or any subsequent federal decennial census to set the number and salary of employees in the office of the circuit clerk and register in chancery.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Branyon	Harris	McLain	Register	
Carr	Hawkins	Melton	Shelby	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1431. Proposing an amendment to the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Littleton	Pierce	
Branyon	Fine	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1429. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	O'Bannon	
Bailes	Fine	Littleton	Pelham	
Baker	Gilmore	Lybrand	Pierce	
Branyon	Harris	McLain	Register	
Clark	Hawkins	Malone	Shelby	
Dominick	Horne	Noonan	Weaver	
Dozier	King			—25

Nays: —0

The Bill:

H. 1428. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical

and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Balles	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Givhan	Melton	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1427. To provide for purging the lists of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Cook	Givhan	Malone	Shelby	
Dominick	Harris	Melton	Weaver	
Dozier	Horne	Noonan	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1439. Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Balles	Fine	Lindsey	Pelham	
Baker	Givhan	McLain	Pierce	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1596. Relating to counties with a population of not less than 57,000 nor more than 61,000; prohibiting operation of vehicles upon coastal sand dunes located 50 feet or further from the water line without written permission of the landowner; providing punishment for violation of this act.

was taken up.

Mr. Owen offered the following amendment to the Bill, H. B. 1596, to-wit:

AMENDMENT TO HOUSE BILL 1596

Amend House Bill 1596 by changing the numbers of Sections 4 and 5 to 5 and 6, respectively, and by adding after Section 3 the following:

"Section 4. The provisions of this Act shall not apply to vehicles operated by a utility or its agents in the construction, maintenance, or repair of utility facilities or rights-of-way located on or near such beaches or sand dunes."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pierce	
Baker	Foshee	McLain	Register	
Carr	Givhan	Malone	Weaver	
Clark	Horne	Melton	Wilder	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 1596, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pierce	
Baker	Foshee	McLain	Register	
Carr	Givhan	Malone	Weaver	
Clark	Horne	Melton	Wilder	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1706. Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

was taken up.

Mr. Givhan offered the following amendment to the Bill, H. B. 1706, to-wit:

AMENDMENT TO H. B. 1706

In the paragraph in Section 1 beginning with the words "Section 3" delete the figures: "\$625.00," and insert in lieu thereof the figures: \$425.00.

Also, in the paragraph beginning with the words "Section 5" delete the figures: "\$350.00," and insert in lieu thereof the figures: \$300.00.

Also, in the paragraph beginning with the words "Section 6" delete the words and figures: "\$350.00 nor more than \$600.00" and insert in lieu thereof the words and figures: \$150.00 nor more than \$500.00.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Givhan	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

And said Bill, H. B. 1706, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Givhan	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1437. To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Dominick	Foshee
Bailes	Carr	Edington	Gilmore
Baker	Cook	Fine	Givhan

Harris	McLain	Owen	Shelby	
Hawkins	Malone	Pelham	Weaver	
Jones	Melton	Pierce	Wilson	
Littleton	O'Bannon			—25
<i>Nays:</i>				—0

The Bill:

H. 1438. Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Lindsey	Pelham	
Baker	Fine	Lybrand	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Harris	Melton	Shelby	
Clark	Hawkins	Noonan	Weaver	
Cook	Jones			—25

Nays: —0

The Bill:

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Carr	Givhan	Malone	Vacca	
Clark	Hawkins	Melton	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Clark	Dozier	
Bailes	Carr	Cook	Edington	

Foshee	King	Noonan	Shelby
Givhan	Lindsey	Owen	Vacca
Hawkins	Littleton	Pelham	Weaver
Horne	Malone	Pierce	Wilson
Jones	Melton		

—25

Nays: —0

The Bill:

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Baker	Foshee	McLain	Shelby
Branyon	Givhan	Noonan	Vacca
Cook	Hawkins	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Dozier	King		

—25

Nays: —0

The Bill:

S. 799. To give statutory recognition to the condominium form of ownership of real property in Barbour County and prescribe regulations therefor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Foshee	McLain	Pierce
Baker	Gilmore	Malone	Register
Branyon	Hawkins	Noonan	Shelby
Clark	Horne	O'Bannon	Vacca
Dominick	Jones	Owen	Wilder
Dozier	Lindsey		

—25

Nays: —0

The Bill:

S. 823. To authorize the governing body of Barbour County to provide for the relief of Evelyn Herring for the damage to her automobile due to a defective county road.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Clark	Edington
Bailes	Branyon	Dominick	Fine

Foshee	Jones	O'Bannon	Register
Gilmore	Lindsey	Owen	Weaver
Givhan	Littleton	Pelham	Wilder
Harris	Malone	Pierce	Wilson
Hawkins	Melton		

—25

Nays:

—0

The Bill:

H. 932. Relating to all counties having a population of not less than 50,000 nor more than 52,500, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Fine	Lindsey	Pierce
Baker	Foshee	McLain	Register
Branyon	Gilmore	Malone	Vacca
Carr	Givhan	Melton	Weaver
Cook	Horne	Noonan	Wilson
Dominick	Jones		

—25

Nays:

—0

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Baker	Gilmore	Littleton	Pierce
Carr	Harris	Lybrand	Register
Clark	Hawkins	McLain	Vacca
Cook	Horne	Malone	Weaver
Dominick	Jones	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Cook	Dozier
Baker	Clark	Dominick	Edington

Fine	Jones	Malone	Pierce	
Foshee	King	O'Bannon	Shelby	
Gilmore	Lindsey	Owen	Weaver	
Givhan	Littleton	Pelham	Wilson	
Harris	McLain			—25

Nays: —0

The Bill:

H. 1355. To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Shelby	
Cook	Givhan	Melton	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1412. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Vacca	
Cook	Hawkins	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Carr	Dominick
Bailes	Branyon	Cook	Dozier

Foshee	Jones	Noonan	Register	
Gilmore	King	O'Bannon	Shelby	
Givhan	Littleton	Owen	Weaver	
Hawkins	McLain	Pierce	Wilson	
Horne	Malone			—25

Nays: —0

The Bill:

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Fine	Littleton	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Noonan	Vacca	
Cook	Harris	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1488, to-wit:

COMMITTEE AMENDMENT TO HOUSE BILL 1488

Amend Section 1 of House Bill 1488 by adding the following words and figures at the end of the present Section 1:

"Provided, however, no container of draft beer shall be larger than 288 ounces. Off premises beer licensees will be authorized to sell draft beer in any size container not exceeding 288 ounces, but their sales must be in only the original container and no consumption will be permitted on the premises. Liquor licensees and on premises beer licensees will be permitted to sell draft beer by the glass or by the pitcher or in any other size container but in no event will any container exceed 288 ounces."

On motion of Mr. Cook, said amendment was laid on the table.

And said Bill, H. B. 1488, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen
Bailes	Fine	Lybrand	Pelham
Baker	Foshee	McLain	Pierce
Carr	Givhan	Malone	Shelby
Clark	Harris	Melton	Wilder
Cook	Hawkins	O'Bannon	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 1860. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Lybrand	Register
Carr	Gilmore	McLain	Vacca
Clark	Givhan	Melton	Weaver
Cook	Harris	Noonan	Wilson
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Register
Bailes	Givhan	McLain	Shelby
Branyon	Harris	Malone	Vacca
Carr	Hawkins	Noonan	Weaver
Cook	Jones	Owen	Wilder
Dominick	King	Pelham	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dominick	Edington
Branyon	Clark	Dozier	Gilmore

Givhan	Lindsey	Noonan	Shelby	
Hawkins	Littleton	Owen	Vacca	
Horne	Lybrand	Pelham	Wilder	
Jones	McLain	Pierce	Wilson	
King	Malone			—25

Nays: —0

The Bill:

H. 773. To authorize county and municipal governments of counties with a population of more than 600,000 to enter into contract providing for the Sheriff to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasury monies sufficient to reimburse the county treasurer for expenditures necessary to provide contract policing.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Vacca	
Carr	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Branyon	Harris	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen
Bailes	Gilmore	Lybrand	Pelham
Baker	Givhan	McLain	Register
Branyon	Hawkins	Malone	Shelby
Carr	Horne	Melton	Vacca
Cook	Jones	O'Bannon	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1207, to-wit:

COMMITTEE AMENDMENT TO H. B. 1207

Amend H. B. 1207 by inserting as the third sentence of subsection (9) of Section 4.06 the following:

"Provided, however, the compensation of each such employee shall not be in excess of \$21,500.00 per annum."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Edington	Littleton	Pelham
Baker	Fine	McLain	Shelby
Carr	Gilmore	Malone	Vacca
Clark	Givhan	Melton	Wilder
Cook	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

And said Bill, H. B. 1207, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Edington	Littleton	Pelham
Baker	Fine	McLain	Shelby
Carr	Gilmore	Malone	Vacca
Clark	Givhan	Melton	Wilder
Cook	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from twenty-two per cent (22%) to fifty per cent (50%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 995 to-wit:

COMMITTEE AMENDMENT TO H. B. 995

Amend H. B. 995 as follows:

(1) Delete in Section 1, subsection (d) the words and figures "twenty-eight per cent (28%)" and insert in lieu thereof the words and figures "nine per cent (9%)",

(2) Insert at the end of said subsection (d), after the word "and", the following:

"provided further, that said payments to the Treasurer or other custodian for the Board of Health of an amount equal to nine per cent (9%) of the total amount of the second such one-half share shall not commence until the payment or distribution required to be made on or before October 20, 1973, and that until such time said nine per cent (9%) of such one-half share shall be paid into the general treasury of the County; and"

(3) Delete from Section 1, the second paragraph of Section 11 the words "and (b) he shall pay the balance of such one-half share into the Indigent Care Fund." and insert in lieu thereof the following:

"(b) he shall, commencing with the payment or distribution required to be made on or before July 20, 1974, pay to the Treasurer or other custodian of funds for the Board of Health in any such county an amount equal to nine per cent (9%) of such one-half share, and (c) he shall pay the balance of such one-half share into the Indigent Care Fund."

(4) Amend the title to read as follows:

"To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or subsequent federal census), so as to allocate to the Board of Health of any such county (effective with the distribution required to be made on or before July 20, 1974) nine per cent (9%) of the first one-half share of proceeds from the taxes levied by said Act No. 405 over and above that portion allocated for the costs of collection, administration and enforcement and so as to increase (effective with the distribution required to be made on or before October 20, 1973) from twenty-two per cent (22%) to thirty-one percent (31%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the

Treasurer or other custodian of funds for the Board of Health of any such county."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Carr	Givhan	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Jones	Noonan	Weaver	
Dominick	King	O'Bannon	Wilson	
Dozier	Lindsey			—25

Nays:

—0

And said Bill, H. B. 995, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Carr	Givhan	Malone	Shelby	
Clark	Hawkins	Melton	Vacca	
Cook	Jones	Noonan	Weaver	
Dominick	King	O'Bannon	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 1646. Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

Was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1646, to-wit:

COMMITTEE AMENDMENT TO H. B. 1646

Amend H. B. 1646 by deleting in its entirety Section IV and re-numbering the remaining sections accordingly.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Givhan	Melton	Register	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Edington	Lindsey			—25

Nays: —0

And said Bill, H. B. 1646, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Givhan	Melton	Register	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1456 to-wit:

COMMITTEE AMENDMENT TO H. B. 1456

Amend H. B. 1456 by striking from the third line of the second page the word "not".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

And said Bill, H. B. 1456, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Hawkins	Malone	Weaver	
Cook	Horne	Melton	Wilder	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 850. Relating to all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations; validating, ratifying and confirming all prior deposits of such fines and forfeitures; repealing all conflicting laws and parts of laws general, local and special.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Branyon	Foshee	Lybrand	Pelham	
Carr	Givhan	McLain	Pierce	
Clark	Harris	Malone	Shelby	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

S. 861. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than

68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Owen	
Baker	Gilmore	McLain	Pelham	
Branyon	Harris	Malone	Register	
Carr	Hawkins	Melton	Shelby	
Cook	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 862. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of certain deputies in the office of the sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Gilmore	Malone	Shelby	
Clark	Givhan	Melton	Weaver	
Cook	Harris	Noonan	Wilson	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

S. 864. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the judge of the county court in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Littleton	Pelham	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	Malone	Shelby	
Clark	Horne	Melton	Weaver	
Cook	Jones	Noonan	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 866. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salary of the clerical assistant to the district attorney of the judicial circuit in which such county lies.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Shelby	
Clark	Givhan	Melton	Weaver	
Cook	Harris	O'Bannon	Wilson	
Dominick	Hawkins			—25

Nays: —0

The Bill:

S. 867. Relating to the assistant district attorney in all counties having populations of not less than 65,000 nor more than 68,000; increasing the supplement to the salary paid by the state.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Register	
Clark	Harris	Lybrand	Shelby	
Cook	Hawkins	McLain	Weaver	
Dominick	Horne	Melton	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 871. Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pierce	
Bailes	Foshee	Malone	Shelby	
Baker	Givhan	Melton	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

S. 863. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of bailiffs appointed by any circuit judge of the judicial circuit in which such county lies.

was taken up.

Mr. Weaver offered the following amendment to the Bill, S. B. 863, to-wit:

AMENDMENT TO SENATE BILL 863

Amend Senate Bill 863 by adding after the last sentence of Section 1 the following sentence:

"There shall be designated one head bailiff who shall receive (\$50.00)fifty dollars per month in excess of any other bailiff for the position of head bailiff.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Foshee	Malone	Pierce	
Branyon	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilson	
Cook	Jones			—25

Nays:

—0

And said Bill, S. B. 863, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Foshee	Malone	Pierce	
Branyon	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilson	
Cook	Jones			—25

Nays:

—0

The Bill:

S. 878. Relating to all counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census, setting the salary for the County Solicitor or Deputy District Attorney.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Horne	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

S. 879. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham	
Baker	Givhan	McLain	Pierce	
Carr	Harris	Malone	Register	
Clark	Horne	Noonan	Shelby	
Cook	Jones	O'Bannon	Weaver	
Dozier	King	Owen	Wilder	
Edington	Lindsey			—25

Nays:

—0

The Bill:

S. 856. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

Was read a third at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Givhan
Baker	Clark	Edington	Harris
Branyon	Dominick	Foshee	Hawkins

Horne	Lybrand	Owen	Shelby	
Jones	Malone	Pelham	Vacca	
King	Melton	Pierce	Wilder	
Lindsey	Noonan			—25
<i>Nays:</i>				—0

The Bill:

S. 889. To provide for an investigator in the district attorney's office of the Thirty-First Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Branyon	Foshee	Lindsey	Pelham	
Carr	Givhan	Lybrand	Register	
Clark	Harris	McLain	Vacca	
Cook	Hawkins	Malone	Weaver	
Dominick	Horne	Melton	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 846. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 5,550 nor more than 5,700 inhabitants that lie within counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pelham	
Bailes	Foshee	Malone	Pierce	
Baker	Givhan	Melton	Register	
Carr	Hawkins	Noonan	Shelby	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Edington	Littleton			—25

Nays: —0

The Bill:

S. 868. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the circuit clerk in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Cook	Edington
Baker	Clark	Dominick	Fine

Foshee	Jones	Noonan	Register
Gilmore	Littleton	O'Bannon	Shelby
Harris	McLain	Owen	Weaver
Hawkins	Malone	Pelham	Wilson
Horne	Melton		

—25

Nays: —0

The Bill:

S. 855. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to authorize the board of registrars to meet for 60 days in addition to the number of days now provided by law for the purpose of implementing the federal court's plan of reapportionment; to authorize the county commission to appoint additional personnel and clerical help to work under the board of registrars, to determine the compensation of such personnel and to pay such compensation from the general fund of the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Gilmore	Lybrand	Pierce
Baker	Harris	Malone	Register
Carr	Hawkins	Melton	Vacca
Clark	Jones	O'Bannon	Weaver
Cook	King	Owen	Wilder
Edington	Lindsey		

—25

Nays: —0

The Bill:

S. 857. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Baker	Foshee	Littleton	Pelham
Branyon	Gilmore	McLain	Pierce
Carr	Givhan	Malone	Shelby
Clark	Harris	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones		

—25

Nays: —0

The Bill:

S. 865. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the tax assessor and tax collector in all such counties.

was taken up.

Mr. Weaver offered the following amendment to the Bill, S. B. 865, to-wit:

AMENDMENT TO SENATE BILL 865

Amend Senate Bill 865 by adding after the last sentence of Section 1 the following sentence:

"The said tax collector and tax assessor shall also receive \$1,500 a year expense allowance to be paid in equal monthly installments out of the General Fund of the County."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Baker	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Register	
Clark	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

And said Bill, S. B. 865, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Baker	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Register	
Clark	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

S. 869. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the register of the circuit court in such counties.

was taken up.

Mr. Weaver offered the following amendment to the Bill, S. B. 869, to-wit:

AMENDMENT TO SENATE BILL 869

Amend Senate Bill 869 by striking Section 1 in its entirety and insert in lieu thereof the following:

"Section 2. In all counties to which this act applies, the register of the circuit court shall be entitled to an expense allowance of fifteen hundred (\$1,500.00) per annum, which shall be paid in equal monthly installments out of the general funds of the county, only for the remainder of the appointed term of the incumbent register of the circuit court. Upon the new appointment, the register shall be paid an amount equal to one thousand dollars (\$1,000.00) less than the circuit clerk of said county."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Register	
Branyon	Gilmore	Malone	Shelby	
Carr	Givhan	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, S. B. 869, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	McLain	Register	
Branyon	Gilmore	Malone	Shelby	
Carr	Givhan	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 858. Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Givhan	Malone	Weaver	
Clark	Harris	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 870. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Baker	Fine	Lindsey	Pelham	
Carr	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Vacca	
Cook	Hawkins	Malone	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 877. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Pelham	
Bailes	Gilmore	Malone	Pierce	
Baker	Givhan	Melton	Register	
Carr	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Edington	Lybrand			—25

Nays: —0

The Bill:

S. 881. Applicable to any city having a population of not less than 7,750 nor more than 7,825 according to the most recent federal decennial census; to provide an expense allowance to the mayor of any such city.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Gilmore	Littleton	Pierce	
Carr	Givhan	Malone	Register	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Jones	Owen	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

S. 882. Amending the title and Section 3 of Act No. 258 of the 1973 Regular Session of the Alabama Legislature, relating to election districts for Morgan County, so as to provide for the changing of election dates in Districts three and four.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham	
Bailes	Fine	Lybrand	Register	
Baker	Foshee	McLain	Shelby	
Branyon	Gilmore	Melton	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

S. 875. Relating to counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census; authorizing the District Attorney of such counties to appoint one Deputy District Attorney; providing for compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Baker	Givhan	Malone	Register	
Branyon	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Weaver	
Dominick	King	O'Bannon	Wilder	
Edington	Lindsey			—25

Nays:

—0

The Bill:

S. 853. Creating the position of full time deputy district attorney for the eight judicial circuit; providing compensation for such position.

Was read a third time at length and passed, and ordered sent forth-
with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Gilmore	McLain	Register	
Branyon	Harris	Malone	Shelby	
Clark	Horne	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

S. 852. Repealing Act No. 278, H. 369, Special Session 1966 (Acts 1966, p. 420) which created a deputy district attorney for the Eighth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-
with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	Malone	Register	
Clark	Gilmore	Melton	Vacca	
Cook	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Baker	Givhan	Littleton	Register	
Branyon	Harris	McLain	Shelby	
Clark	Hawkins	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in

lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Gilmore	McLain	Register
Baker	Harris	Melton	Shelby
Carr	Horne	Noonan	Weaver
Clark	Jones	O'Bannon	Wilder
Cook	King	Owen	Wilson
Dozier	Lindsey		

—25

Nays:

—0

The Bill:

H. 996. To further amend Title 13, Section 187, Code of Alabama 1940, as amended, which provides for the appointment, compensation and duties of circuit court bailiffs, so as to provide for counties having a population of not less than 175,000 and not more than 300,000, according to the most recent federal decennial census, with three or more circuit judges, to increase the compensation of bailiffs without a law degree and to establish a rate of compensation for bailiffs with law degrees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Fine	Lindsey	Owen
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Melton	Weaver
Clark	Harris	Noonan	Wilder
Cook	Hawkins		

—25

Nays:

—0

The Bill:

H. 1671. To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle licenses tags, relative to assessing and collecting ad valorem

taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

was taken up.

Mr. Register offered the following amendment to the Bill, H. B. 1671, to-wit:

AMENDMENT TO H. B. 1671, AS AMENDED

In Section 2 of the bill, as amended, strike out the following words and figures:

"who shall be elected at the next general election for any state officers held after the effective date of this act and each four years thereafter; and shall take office for a term of four years on the first Monday after the second Tuesday in January next succeeding their election and until their successors shall be elected and qualified."

And insert in lieu thereof the following words and figures:

who shall be elected at the next general election for any state officers held after the effective date of this act; and shall take office for a term of four years on the first Monday after the second Tuesday in January next succeeding his election, and upon taking office shall have access to all licenses except marriage licenses.

Also, strike out in its entirety Section 19 of the bill and insert in lieu thereof the following:

Section 19. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law, and shall expire and be null and void on the date of expiration of the four year term of office of the commissioner of licenses.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Branyon	Givhan	Malone	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

And said Bill, H. B. 1671, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Branyon	Givhan	Malone	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County. was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1400, to-wit:

COMMITTEE AMENDMENT TO H. B. 1400

In Section 1 delete the description in its entirety and insert in lieu thereof the following:

S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 28 Twp. 14 South, Range 2 East. SW $\frac{1}{4}$ of Sec. 28, and the SE $\frac{1}{4}$ of Sec. 29, all in Twp. 14 South Range 2 East, LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

Beginning at the Southeast corner, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec 28, Twp. 14 South, Range 2 East and run thence north along $\frac{1}{4}$ line to the northerly boundary of A. G. S. Railroad, said point being the Southeast corner of the James S. Jones property; thence westerly along said northerly boundary 472 feet more or less to southwest corner of said James S. Jones property; thence northerly along James S. Jones westerly boundary 600 feet more or less to the southerly boundary of U. S. 11 Highway; thence southwesterly along said boundary 2,790 feet, more or less, to the northeast corner of the M. C. Galbreath property, thence south along M. C. Galbreath easterly property line 208.7 feet to the south boundary of Sec. 29, Twp. 14 South, Range 2 East; thence east along said south line and the south line of Sec. 28, Twp. 14 South, Range 2 East to point of beginning, all in St. Clair County, Alabama.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Gilmore	Malone	Register	
Carr	Hawkins	Melton	Shelby	
Cook	Horne	O'Bannon	Vacca	
Dominick	King	Owen	Wilder	
Edington	Lindsey			—25

Nays: —0

And said Bill, H. B. 1400, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Gilmore	Malone	Register	
Carr	Hawkins	Melton	Shelby	
Cook	Horne	O'Bannon	Vacca	
Dominick	King	Owen	Wilder	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-Third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1818, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 1818

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for each circuit judge of the Twenty-third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

Be It Enacted by the Legislature of Alabama:

Section 1. Each of the circuit judges of the Twenty-third Judicial Circuit of this state shall receive an annual expense allowance for meals, travel and lodging expenses incurred by that official within the state while attending meetings and conferences intended to promote the skill and competence of the circuit judges, for educational programs designed to inform circuit judges, for professional dues and assessments, and professional journals; provided, however, that the expenditures hereby authorized shall not exceed \$1,500 per circuit judge and shall be paid out of the county general fund. Such expenses shall be in addition to any other salary, compensation, or allowance provided for by law to such circuit judges.

Section 2. Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501), which relates to expenditures by the Board of County Commissioners of counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, to assist the circuit judges of such counties, is hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Carr	Givhan	McLain	Register
Clark	Harris	Melton	Vacca
Cook	Hawkins	Mooney	Weaver
Dominick	Jones	O'Bannon	Wilson
Dozier	King		

—25

Nays.

—0

And said Bill, H. B. 1818, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Givhan	McLain	Register	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1817. To authorize and establish in Madison County, Alabama the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1817, to-wit:

AMENDMENT TO H. B. 1817

Amend H. B. 1817 by deleting Section 2 and inserting in lieu thereof the following:

Section 2. Appointment; tenure of office. The presiding judge of the Madison County Court or any successor court created in lieu thereof shall appoint a warrant magistrate for said county.

Further amend H. B. 1817 by deleting subsection 5 d. and renumbering the subsequent subsection accordingly.

Also further amend the bill by deleting the first paragraph of subsection 5 e.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Baker	Harris	McLain	Register	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	Noonan	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

And said Bill, H. B. 1817, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Baker	Harris	McLain	Register	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	Noonan	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Gilmore	McLain	Pierce	
Carr	Harris	Melton	Shelby	
Clark	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Baker	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1822. Relating to counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Baker	Foshee	McLain	Pierce
Carr	Gilmore	Melton	Shelby
Clark	Harris	Noonan	Vacca
Dominick	Hawkins	O'Bannon	Weaver
Dozier	King	Owen	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Littleton	Pierce
Baker	Gilmore	McLain	Register
Branyon	Harris	Malone	Vacca
Carr	Hawkins	Melton	Weaver
Dominick	Jones	Noonan	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham
Baker	Gilmore	Lybrand	Pierce
Branyon	Givhan	Malone	Register
Clark	Harris	Melton	Vacca
Cook	Horne	Noonan	Weaver
Dominick	Jones	Owen	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Baker	Foshee	Malone	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Carr	Gilmore	Malone	Shelby	
Clark	Givhan	Melton	Vacca	
Cook	Harris	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1597. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 54,500 and not more than 56,000 according to the last and any subsequent decennial federal census; to provide for a more convenient and efficient method for the issuance of all licenses except marriage licenses; to prescribe the powers, duties, and authority of the commissioner of licenses; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham
Bailes	Fine	McLain	Pierce
Baker	Foshee	Malone	Shelby
Branyon	Givhan	Melton	Vacca
Carr	Hawkins	O'Bannon	Weaver
Cook	Horne	Owen	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunchroom employees of boards of education of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Littleton	Pierce
Baker	Givhan	McLain	Shelby
Branyon	Harris	Malone	Vacca
Carr	Horne	Noonan	Weaver
Cook	Jones	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessors, tax collectors, probate judges and license commissioners of such counties may belong.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Baker	Foshee	Lybrand	Shelby
Carr	Givhan	Malone	Vacca
Clark	Hawkins	Melton	Weaver
Cook	Horne	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court

clerk in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Lybrand	Shelby
Carr	Givhan	Malone	Vacca
Clark	Harris	Melton	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an employee of the State of Alabama prior to such membership.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Foshee	Lybrand	Pierce
Branyon	Givhan	McLain	Shelby
Carr	Harris	Melton	Vacca
Clark	Jones	Noonan	Weaver
Dominick	King	Owen	Wilson
Dozier	Lindsey		

—25

Nays:

—0

The Bill:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Lybrand	Pelham
Baker	Givhan	Malone	Register
Carr	Hawkins	Melton	Shelby
Cook	Horne	Noonan	Vacca
Dominick	Jones	O'Bannon	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Gilmore	Lybrand	Pierce
Carr	Givhan	Malone	Register
Cook	Harris	Melton	Vacca
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Owen
Baker	Givhan	Lybrand	Pelham
Carr	Harris	McLain	Pierce
Cook	Hawkins	Malone	Shelby
Dominick	Horne	Noonan	Weaver
Dozier	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1486. Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce
Bailes	Foshee	Lybrand	Shelby
Baker	Givhan	Malone	Vacca
Carr	Hawkins	Melton	Weaver
Cook	Jones	O'Bannon	Wilder
Dozier	King	Owen	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1725. Relating to counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Pierce	
Clark	Gilmore	Malone	Register	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Baker	Foshee	McLain	Pelham	
Carr	Gilmore	Malone	Register	
Clark	Harris	Melton	Vacca	
Dominick	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Owen	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Register	
Carr	Givhan	Malone	Shelby	
Clark	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Foshee	McLain	Pelham	
Baker	Gilmore	Malone	Register	
Branyon	Harris	Melton	Shelby	
Clark	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1487. Relating to the twenty-seventh judicial circuit of Alabama, providing for two assistant district attorneys and for county supplement to the existing salary of the district attorney of said judicial circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Givhan	McLain	Pierce	
Carr	Harris	Melton	Shelby	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1834. To provide for the creation of public corporations in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate,

lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Baker	Foshee	McLain	Register
Carr	Gilmore	Malone	Vacca
Cook	Harris	Melton	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Cook	Dozier
Bailes	Clark	Dominick	Edington

Fine	Jones	Noonan	Shelby	
Gilmore	King	O'Bannon	Weaver	
Harris	Lindsey	Owen	Wilder	
Hawkins	Lybrand	Pierce	Wilson	
Horne	Malone			—25

Nays: —0

The Bill:

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Lybrand	Pelham	
Baker	Gilmore	Malone	Pierce	
Carr	Givhan	Melton	Shelby	
Clark	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1152. To impose a twenty per cent (20%) tax on all alcoholic beverages purchased from the Alcoholic Beverage Control Board for the purpose of resale outside the police jurisdiction of any incorporated municipality located in any county having a population of not less than 60,000 nor more than 65,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edgington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Foshee	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Baker	Fine	Littleton	Pelham	
Branyon	Gilmore	McLain	Register	
Clark	Givhan	Malone	Shelby	
Cook	Harris	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays: —0

The Bill:

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Melton	Shelby	
Clark	Harris	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Clark	Harris	Malone	Vacca	
Dominick	Hawkins	Melton	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily com-

pensation for members of such boards when such boards meet officially to transact business.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Freshce	Littleton	Pierce	
Branyon	Givhan	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, 1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	Lybrand	Shelby	
Carr	Hawkins	Melton	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1882. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Gilmore	McLain	Register	
Branyon	Harris	Malone	Shelby	
Clark	Horne	Melton	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1789. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing additional clerk hire allowances for the offices of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Register	
Branyon	Gilmore	Malone	Shelby	
Clark	Givhan	Melton	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1787. To provide expense allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Harris	Melton	Shelby	
Clark	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Clark	Gilmore	Malone	Vacca	
Cook	Hawkins	Melton	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Baker	Gilmore	Lybrand	Register	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "An Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Fine	McLain	Pierce	
Baker	Foshee	Malone	Shelby	
Branyon	Givhan	Noonan	Vacca	
Carr	Harris	O'Bannon	Wilder	
Cook	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Owen	
Baker	Givhan	McLain	Pelham	
Branyon	Harris	Malone	Register	
Carr	Hawkins	Melton	Shelby	
Clark	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Clark	Givhan	Melton	Vacca	
Cook	Harris	Noonan	Wilder	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Harris	McLain	Pierce	
Branyon	Hawkins	Melton	Shelby	
Carr	Horne	Noonan	Vacca	
Cook	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

S. 890. Relating to counties having a population of 600,000 or more inhabitants according to the most recent Federal decennial census; providing for the establishment of a county compensation commission and to provide for the make up of the commission and to subscribe the duties of the commission.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, S. B. 890, to-wit:

COMMITTEE AMENDMENT TO S. B. 890

Amend Section 2 of S. B. 890 by deleting the word "establish" and substitute in lieu thereof the word "recommend".

Further amend Section 2 by deleting the last sentence of Section 2.

Amend Section 3 of S. B. 890 by deleting Section 3 and substituting in lieu thereof the following:

"Section 3. The membership of the commission shall be chosen in the following manner: one (1) member shall be selected by a majority of the State Senators serving any such county; one (1) member shall be selected by a majority of the members of the State House of Representatives serving the County; two members shall be selected by a majority of the county governing body but cannot be members of the county governing body; one (1) member shall be selected by a majority of the members of any county civil service board if any such civil service board exists in any such county; and one (1) member shall be selected by the majority of the members of the commission said member to be a member of a labor union and actively engaged in labor union functions; and one (1) member shall be selected by a majority of the board of directors of a Chamber of Commerce with the largest membership in such County, if there be one; and provided further, that no member shall be an elected official or a person whose compensation could be affected by any recommendation of such commission."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham
Bailes	Foshee	McLain	Pierce
Baker	Gilmore	Malone	Register
Carr	Harris	Melton	Shelby
Cook	Hawkins	O'Bannon	Vacca
Dominick	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

And said Bill, S. B. 890, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Cook	Edington
Bailes	Carr	Dominick	Fine

Foshee	King	O'Bannon	Register	
Gilmore	Lybrand	Owen	Shelby	
Harris	McLain	Pelham	Vacca	
Hawkins	Malone	Pierce	Wilson	
Jones	Melton			—25
<i>Nays:</i>				—0

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 90. RESOLUTION NAMING THE UNIVERSITY CENTER BUILDING AT TROY STATE UNIVERSITY THE RALPH W. ADAMS BUILDING.

On motion of Mr. Dozier, said Resolution, S. J. R. 90, was then adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 618, with a suggested Executive Amendment.

Respectfully submitted

HARRY L. PENNINGTON
Executive Secretary

August 21, 1973

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

At the request of the sponsor, I am returning to you, the body in which it originated, Senate Bill No. 618, without my approval and with the following suggested Executive Amendment:

Amend said bill by adding the words "Circuit Judge" after the words "and Clerk of the Circuit Court" where they appear in the title and in Section 1 of said bill.

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully

GEORGE C. WALLACE
Governor

August 21, 1973

GOVERNOR'S MESSAGE

On motion of Mr. Fine, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Hawkins	McLain	Register	
Carr	Horne	Malone	Vacca	
Clark	Jones	Noonan	Weaver	
Dominick	King	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 618, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Hawkins	McLain	Register	
Carr	Horne	Malone	Vacca	
Clark	Jones	Noonan	Weaver	
Dominick	King	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

FURTHER CONSIDERATION OF S. R. 95

The Senate proceeded to further consideration of the Resolution, S. R. 95. The question was on the motion of Mr. Fine that the Senate reconsider the vote by which the Resolution, S. R. 95, was adopted.

Mr. Dominick moved that the motion to reconsider be laid on the table, which motion was lost.

Yeas 14; Nays 16.

Yeas:

Messrs.:	Dominick	Hawkins	Pierce	
Bailes	Edington	King	Shelby	
Baker	Gilmore	Lindsey	Vacca	
Cook	Harris	Lybrand		—14

Nays:

Messrs.:	Fine	McLain	Pelham
Branyon	Foshee	Melton	Register
Carr	Horne	Noonan	Weaver
Clark	Littleton	Owen	Wilson
Dozier			

—16

The question was then on the motion to reconsider the vote by which the Resolution, S. R. 95, was adopted, and the motion to reconsider was then lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Fine	Littleton	Owen
Branyon	Foshee	Malone	Pelham
Clark	Givhan	Melton	Register
Dozier	Horne	Noonan	Weaver

—15

Nays:

Messrs.:	Edington	King	Pierce
Bailes	Gilmore	Lindsey	Shelby
Baker	Harris	Lybrand	Vacca
Cook	Hawkins	McLain	Wilder
Dominick	Jones		

—17

RESOLUTIONS

Mr. Fine offered the following Senate Resolution, to-wit: S. R. 96.

Be it resolved by the Senate of Alabama that S. R. 95 adopted by the Senate on August 16, 1973, is hereby repealed.

Which was read and referred to the Standing Committee on Rules.

Mr. Horne offered the following Senate Joint Resolution, to-wit: S. J. R. 97.

WHEREAS, the counties of Lee and Chambers include approximately 100,000 people, and

WHEREAS, many students in Lee and Chambers counties cannot avail themselves of the educational opportunities at Auburn University, and

WHEREAS, the 1971 Alabama Legislature appropriated \$480,000 to provide at Lanett two years of higher education to the people of Chambers and Lee counties, and

WHEREAS, the \$480,000 college building at Lanett still has not been constructed,

THEREFORE BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES CONCURRING, That the State Board of Education is hereby directed and ordered to utilize all funds heretofore appropriated for the Lanett Branch of Southern Union State Junior College for the purpose of immediately constructing, purchasing land and equipment, and operating a new and separate Junior College within the police jurisdiction of the City of Lanett; and the State Board of Education is hereby ordered and directed to immediately execute such deeds and documents as are available and necessary to

transfer all title and contracts on the Lanett Branch of Southern Union State Junior College to the New State Junior College at Lanett; and the Lanett Branch of Southern Union State Junior College is hereby dissolved and Southern Union State Junior College shall cease all operations in Chambers and Lee counties.

Which was read and referred to the Standing Committee on Rules.

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 98. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business, upon reaching bills on third reading, for the Thirty-first Legislative Day only.

Page No.

1.	S. B.	851	203	Conditional Appropriation—Mental Health
2.	S. B.	47	20	Old Retired Teachers
3.	S. B.	1	43	Ethics Bill
4.	S. B.	214	92	Judicial Article
5.	S. B.	353	73	Bail Bond Reform
6.	S. B.	253	64	Merchandise Mart
7.	S. B.	622	115	Identify years of service—retirement system
8.	S. B.	245	24	Boxing and Wrestling Commission
9.	S. B.	527	53	Records of copper wire purchases
10.	H. B.	835	134	Supplemental appropriation coliseum
11.	S. B.	223	130	Board of Education expenses
12.	S. B.	685	152	Judge's Reform Bill
13.	S. B.	5	53	Condominium Bill
14.	S. B.	756	98	Exempt Tobacco from ad valorem, when stored
15.	S. B.	186	78	Expenses Circuit Judges
16.	S. B.	735	172	Modernizes Probate Judge's Fees
17.	S. B.	86	49	Driver Education and Training
18.	H. B.	292	118	Bar Exam Bill
19.	S. B.	658	77	Bi State Compact (Superport)
20.	S. B.	642	76	Bi State Reciprocal (Superport)
21.	S. B.	286	146	Non Merit—Industrial Development Employees
22.	S. B.	515	179	Pipeline—(Superport)
23.	S. B.	516	179	Pipeline—(Superport)
24.	S. B.	393	169	Deputy District Attorney Montgomery County
25.	S. B.	133	129	Conditional appropriation burned school
26.	S. B.	662	102	Black Lung
27.	S. B.	557	166	State Employees Salary—Step Raise
28.	S. B.	558	203	State Employees Salary—Step Raise
29.	S. B.	559	167	State Employees Salary—Step Raise
30.	S. B.	32	48	Student Driver license children blind parents
31.	S. B.	456	80	Growth Policy Board
32.	S. B.	797	142	Soybean Research
33.	S. B.	265	95	Fines and Forfeitures

34.	S. B.	800	145	Assistant County Engineer
35.	S. B.	261	30	Leased Property bill
36.	S. B.	262	31	Leased Property bill
37.	S. B.	263	31	Leased Property bill
38.	S. B.	563	257	Irrigation District Bill
39.	S. B.	691	257	Irrigation District Bill
40.	S. B.	398	84	Flouridation Bill
41.	S. B.	505	99	Personnel Standards—Firefighters
42.	S. B.	581	82	Probate Judge—election not to come under supernumerary
43.	S. B.	384	132	Judicial Retirement Fund
44.	S. B.	601	83	Clerks—Supreme Court
45.	S. B.	736	191	Mental Health Interstate Compact
46.	S. B.	738	192	Mental Health Commitment law
47.	S. B.	81	77	Reduction Jefferson County Civil Service
48.	S. B.	80	63	Perpetual Care Cemeteries
49.	S. B.	283	15	Contractor's retainage
50.	S. B.	507	87	Allows clerks & registrars to destroy records
51.	S. B.	18	21	Changes primary election dates
52.	S. B.	512	61	Non resident hunting licenses
53.	S. B.	247	50	Provide tags for municipal gas districts
54.	S. B.	447	86	Merit System law enforcement
55.	S. B.	796	166	Merchandise Mart
56.	S. B.	593	133	Public Safety Special conditional appropriation
57.	S. B.	769	125	Public Safety Uniform Crime report
58.	S. B.	337	18	ABC Board
59.	S. B.	49	106	Appeals Public Service—Public Service Commission
60.	S. B.	50	106	Create hearing examiner—Public Service Commission
61.	S. B.	56	107	Outside witnesses for testimony—Public Service Commission
62.	S. B.	300	114	Educational benefits for wives of disabled vets
63.	S. B.	639	138	Consumer Protection
64.	S. B.	494	102	Water Management Act
65.	S. B.	334	186	Time off for voting
66.	S. B.	446	67	Facilities for handicapped at football stadiums
67.	S. B.	121	100	Tax exemptions for charities
68.	S. B.	333	186	Deputy voters registrars
69.	S. B.	674	171	Nursing scholarships—UAB
70.	S. B.	860	211	Governor's Disability Retirement

Mr. Pierce offered the following amendment to the Resolution, S. R. 98, to-wit:

AMENDMENT TO S. R. 98

Amend S. R. 98 by adding S. B. 528 on Page 82 at the bottom of list.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and sends same herewith to the Senate:

S. 149. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

JOHN W. PEMBERTON,
Clerk.

REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 96. REPEALING S. R. 95.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1. In relation to ethical standards in State government, prescribing penalties for its violation and creating a Board of Ethics with specified powers and duties.

was taken up.

Mr. Bailes offered the following substitute for the Bill, S. B. 1, to-wit:

SUBSTITUTE FOR S. B. 1

A BILL
TO BE ENTITLED
AN ACT

To establish a state ethics commission and to provide a state ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony.

Be It Enacted by the Legislature of Alabama:

Section 1. The legislature hereby declares that elective office is a public trust and any effort to realize personal gain through official conduct is a violation of that trust.

Section 2. (a) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, and any legal entity;

(b) "Business with which he is associated" means any business of which the person or a member of his household is a director, officer, owner, employee, or holder of stock worth \$1,000 or more at fair market value, and any business which is a client of the person;

(c) "Candidate for public office" means any person who has filed a declaration of candidacy or a petition to appear on the ballot for election as a public official, and any person who has been nominated for appointment to serve as a public official;

(d) "Commission" means the state ethics commission;

(e) "Legislative employee" means any person employed by the legislature or by any of its committees and any person employed by a legislator from funds provided by the state, who receives compensation of \$10,000 or more per year;

(f) "Public official" means any elected or appointed official or employee of the state, including the executive agencies and the judicial branch, any official or employee of a county, municipality, or other political subdivision, any legislator and any legislative employee.

Section 3. No public official shall use his official position or office to obtain financial gain for himself, any member of his household, or any business with which he or a member of his household is associated.

Section 4. No person shall offer or give to a public official or a member of a public official's household and no public official shall solicit or receive anything of value, including a gift, favor or service or a promise of future employment, based on any understanding that such public official's vote, official actions or judgement would be influenced thereby, or where it could reasonably be inferred that the thing of value would influence the public official in the discharge of his duties, or as a reward, or which would cause the total value of such things received from the same person not a member of such public official's household to exceed \$100 during any single calendar year.

Section 5. No person shall offer or pay to a public official and no public official shall solicit or receive any money in addition to that received by the public official in his official capacity for legislative advice or assistance, or for advice or assistance given in the course of the public official's employment or relating to his employment.

Section 6. No public official shall use or disclose confidential information gained in the course of or by reason of his official position or activities in any way that could result in financial gain for himself or for any other person.

Section 7. No legislator shall accept assignment to or serve on a committee the jurisdiction of which consists of matters of other than a de minimus nature in which he or a member of his household or a business with which he is associated has a financial interest. No legislative employee shall accept assignment to, be employed by, or perform services for a legislative committee the jurisdiction of which consists of matters of other than a de minimus nature in which he or a member of his household or a business with which he is associated has a financial interest.

Section 8. Unless expressly provided otherwise by law, no person shall serve as a member or employee of a state regulatory commission that regulates any business with which he is associated.

Section 9. Any public official who, in the discharge of his official duties, would be required to take an action or make a decision that would affect directly or indirectly his financial interests or those of a member of his household, or a business with which he is associated, shall instead take the following actions:

(a) He shall prepare a written statement describing the matter requiring action or decision, and the nature of his potential conflict of interest with respect to such action or decision;

(b) He shall cause copies of such statement to be delivered to the state ethics commission and to his immediate superior, if any;

(c) If he is a legislator or legislative employee, he shall deliver a copy of such statement to the presiding officer. The presiding officer shall cause such statement to be printed in the journal and, upon request, shall excuse a legislator from votes, deliberations, and other action on the matter on which a potential conflict exists; and

(d) If he is not a legislator, his superior, if any, shall assign the matter to another employee who does not have a potential conflict of interest. If he has no immediate superior, he shall take such steps as the state ethics commission shall prescribe through rules or regulations to remove himself from influence over actions and decisions on the matter on which the potential conflict exists.

Section 10. No public official and no business with which a public official is associated shall represent a client before any state regulatory department or agency for a fee.

Section 11. No public official and no business with which a public official is associated shall enter into any contract with a state agency which is to be paid in whole or in part out of state funds unless the contract has been awarded through a process of public notice and competitive bidding.

Section 12. No person shall offer or give to a member or employee of a state regulatory commission that regulates a business with which such person is associated, and no member or employee of a state regulatory commission shall solicit or accept from any such person, anything of value, including a promise of future employment or a favor or service, while the member or employee is associated with the regulatory commission. No former member or employee of a state regulatory commission shall serve as a lobbyist or represent clients before such regulatory commission for a period of five years after he leaves such regulatory commission.

Section 13. Within 10 days after he becomes a candidate for public office, each candidate shall file a statement of economic interests at the office of the state ethics commission.

(a) Each official who receives a declaration of candidacy or petition to appear on the ballot for election as a public official and each official who nominates a person to serve as a public official shall, within 2 days of such receipt or nomination, notify the state ethics commission of the name of each new candidate for public office as defined in section 2(2) of this Act, and the date on which such person became a candidate for the purposes of this Act.

(b) The state ethics commission shall notify such official and, in the case of candidates for appointive office, the clerk of the body that will approve or disapprove the nomination, of the name of each candidate who files a statement of economic interest at the office of the commission and of the date on which such statement was filed.

(c) Other provisions of the law notwithstanding, if a candidate for elective public office does not submit a statement of economic interests in accordance with the requirements of this Act within 10 days after he becomes a candidate, his name shall not appear on the ballot.

(d) If a person who becomes a candidate for appointive public office by nomination fails to file a statement of economic interest in accordance with the provisions of this Act within 10 days after such nomination, the nomination shall not be approved or ratified until at least 10 days after he has filed such statement of economic interests.

Section 14. No person hired to serve as a public official with com-

pensation of \$12,000 or more per year and no person retained by the state on a per diem or consultant basis shall be allowed to take the oath of office or enter upon his duties unless he has filed a statement of economic interests in accordance with the provisions of this Act at the office of the state ethics commission.

Section 15. Each current public official who receives compensation of \$12,000 or more per year shall file a statement of economic interests in accordance with the provisions of this Act at the office of the state ethics commission within 60 days after the effective date of this Act, and shall receive no compensation after such filing deadline until he files such statement.

Section 16. (a) Any statement of economic interests filed under this Act shall be on a form prescribed by the commission, and the person filing the statement shall supply the following information:

(1) The identity, by name, of all offices, directorships, and fiduciary relationships held by him or a member of his household;

(2) The legal description of all real estate in the state in which he or a member of his household has any interest, direct or indirect including an option to buy;

(3) The name of each creditor to whom he or a member of his household owes monies in excess of \$1,000, the category of the amount owed, and the interest rate;

(4) The name of each business, insurance policy, or trust in which he or a member of his household has a financial interest, and the nature and category of the amount of such interest;

(5) The source, by name, and category of the amounts of any income, including capital gains, whether or not taxable, received by him or a member of his household during the preceding year;

(6) A list of businesses with which he is associated that do business with or are regulated by the state, and a description of the nature of such business or regulation;

(7) If the individual filing is an attorney, a list of all matters of public record in which the state or any public official or executive agency is a party in which he or any member of a law firm with which he is associated represented a client with a fee of \$1,000 or more, the name of each such client, the category of the amount of each fee, and a description of the matter involved; and

(8) If the individual filing is an attorney, a list of all clients of the individual or any law firm with which he is associated whose fees were \$1,000 or more during the preceding year, and the category of the amount of each such fee.

(b) Where an amount is required to be reported by category, the individual shall report whether the amount is less than \$1,000, at least \$1,000 but less than \$5,000, at least \$5,000 but less than \$10,000, at least \$10,000 but less than \$25,000, or \$25,000 or more. An amount of stock may be reported by number of shares instead of by category of dollar value. No provision of this Act shall be interpreted to prevent any person from filing more information or more detailed information than required.

Section 17. Each person who is required to file a statement of economic interests under this Act shall file an undating statement at the office of the commission and on a form prescribed by the commission

within one week of any addition, deletion or change in his financial status with respect to which information is required to be supplied under Section 16; provided that, if the person has filed with the commission the description by name, amount and schedule of payments of a continuing arrangement relating to an item required to be reported under subsection 16(c) or 16(e), an updating statement need not be filed for each payment under such continuing arrangement, but only if the arrangement is terminated or altered.

Section 18. (a) There is hereby created a state ethics commission which shall be composed of five members, not more than three of whom shall be members of the same political party and who shall be appointed by the Governor with the consent of the State Senate. No public official shall be appointed to membership on the commission. One of the original members shall be appointed for a term of one year, one for a term of three years, one for a term of five years, one for a term of seven years, and one for a term of nine years, beginning from the date of enactment of this Act, but their successors shall be appointed for terms of nine years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The commission shall elect one member to serve as Chairman of the commission and one member to serve a Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

(b) A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission and three members thereof shall constitute a quorum.

(c) The commission shall at the close of each fiscal year report to the legislature and the Governor concerning the action it has taken; the names, salaries, and duties of all individuals in its employ and the money it has disbursed; and shall make such further reports on the matters within its jurisdiction and such recommendations for further legislation as may appear desirable.

(d) Members of the commission shall, while serving on the business of the commission, be entitled to receive compensation at a rate of \$50 per day.

(e) The office of the commission shall be in or near the state capitol, but it may meet or exercise any or all its powers at any other place in the state.

(f) All members, officers, agents, attorneys, and employees of the commission shall be subject to the provisions of law prohibiting political activity of state employees.

(g) The commission shall appoint an Executive Director to serve at the pleasure of the commission. The Executive Director shall be responsible for the administrative operations of the commission and shall perform such other duties as may be delegated or assigned to him from time to time by regulations or orders of the commission. However, the commission shall not delegate the making of regulations to the Executive Director.

Section 19. It shall be the duty of the commission:

(a) To prescribe forms for statements required to be filed by this Act, and to furnish such forms to persons required to file such statements;

(b) To prepare and publish a manual setting forth recommended uniform methods of reporting for use by persons required to file statements required by this Act;

(c) To accept and file any information voluntarily supplied that exceeds the requirements of this Act;

(d) To develop a filing, coding, and cross-indexing system consonant with the purposes of this Act;

(e) To make the reports and statements filed with it available for public inspection and copying during regular office hours, and to make copying facilities available free of charge or at a charge not to exceed actual cost;

(f) To preserve such reports and statements for a period of ten years from date of receipt;

(g) To prepare and publish, from time to time, summaries of the statements received;

(h) To prepare and publish such other reports as it may seem appropriate;

(i) To provide for wide public dissemination of summaries and reports;

(j) To make investigations with respect to statements filed under the provisions of this Act, and with respect to alleged failures to file any statement required under the provisions of this Act and, upon complaint by any individual, with respect to alleged violation of any part of this Act;

(k) To report suspected violations of law to the appropriate law enforcement authorities;

(l) To issue, upon request, and publish advisory opinions on the requirements of this Act, based on a real or hypothetical set of circumstances;

(m) To prescribe and publish rules and regulations to carry out provisions of this Act.

Section 20. Any person who violates the provisions of sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 or 17 of this Act is guilty of a felony and shall be fined not more than \$10,000 or be imprisoned for not less than 2 years nor more than 10 years or be both fined and imprisoned.

Section 21. Any person who violates the provisions of sections 3, 4, 5, 6, 10, 11, or 12 of this Act shall, in addition to any other penalty prescribed by law, pay into the treasury of the state a sum of money equal to three (3) times the financial gain resulting from such violation.

Section 22. The penalties prescribed in this Act do not limit the power of either house of the legislature to discipline its own members or impeach a public official, and do not limit the power of agencies or commissions to discipline officials or employees.

Section 23. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the provisions of this Act upon application by any citizen of this state.

Section 24. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of such Act and the application of such provisions to other persons and circumstances shall not be affected thereby.

Section 25. This Act shall take effect upon passage into law.

Mr. Bailes offered the following amendment to the substitute for the Bill, S. B. 1, to-wit:

BAILES AMENDMENT TO BAILES SUBSTITUTE FOR S. B. 1

Amend Section (a) as follows:

Section 18. (a) There is hereby created a state ethics commission which shall be composed of five members, not more than three of whom shall be members of the same political party. One member of such commission shall be elected by majority vote of the State Senate, one member of such commission shall be elected by majority vote of the State House of Representatives and three members of such commission shall be appointed by the Governor with the consent of the State Senate. No public official shall be appointed to membership on the commission. The original member elected by the State Senate shall be elected for a term of one year, the original member elected by the State House of Representatives shall be elected for a term of three years, and the original members appointed by the Governor with the advice and consent of the State Senate shall be appointed for terms of five years, respectively, beginning from the date of enactment of this Act, but their successors shall be elected or appointed for terms of nine years each. If at any time there should be a vacancy on the commission, a successor member to serve for the unexpired term applicable to such vacancy shall be elected or appointed in the same manner as the member whose unexpired term such successor is to fill. The commission shall elect one member to serve as Chairman of the commission and one member to serve as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

Which was adopted.

Mr. Fine offered the following amendment to the substitute, as amended, for the Bill, S. B. 1, to-wit:

AMENDMENT TO BAILES SUBSTITUTE, AS AMENDED, FOR S. B. 1

Amend S. B. 1 by striking out Section 1 and renumbering the remaining sections.

Which was adopted.

Mr. Fine then offered the following amendment to the substitute, as amended, for the Bill, S. B. 1, to-wit:

AMENDMENT TO BAILES SUBSTITUTE, AS AMENDED, FOR S. B. 1

Amend S. B. 1 by striking out Section 16 (a) (3) (7) (8).

On motion of Mr. Bailes, said amendment was laid on the table.

Yeas 19; Nays 15.

Yeas:

Messrs.:	Edington	King	Noonan
Bailes	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Cook	Harris	McLain	Vacca
Dominick	Hawkins	Malone	Wilder

Nays:

Messrs.:	Branyon	Dozier	Herne
Baker	Clark	Fine	Jones

Lindsey
Melton

O'Bannon
Owen

Peiham
Pierce

Weaver
Wilson

—15

Mr. Shelby offered the following amendment to the substitute, as amended, for the Bill, S. B. 1, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR S. B. 1

Amend the substitute for S. B. 1 by adding to the end of the title thereof the following: "Also relating to the activities, registration, and reporting requirements of persons engaged in activities designed to influence legislation."

Also amend the substitute for S. B. 1 by adding the words "Article I" as a heading above Section 1 thereof.

Also amend the substitute for S. B. 1 by adding the following as Article II of said bill immediately after Section 25 of Article I:

"Article II

Section 1. POLICY

The legislature hereby declares that the operation of responsible democratic government requires that the fullest opportunity be afforded to the people to petition their government for the redress of grievances and to express freely to individual members of the legislature, to committees of the legislature, and to officials of the Executive branch, their opinions on legislation, on pending executive actions, and on current issues; and that, to preserve and maintain the integrity of the legislative and administrative processes, it is necessary that the identity, expenditures and activities of certain persons who engage in efforts to persuade members of the legislature or the executive branch to take specific actions, either by direct communication to such officials, or by solicitation of others to engage in such efforts, be publicly and regularly disclosed. The provisions of this act shall be liberally construed to promote complete disclosure of all such information and so as to assure that the public interest will be fully protected.

Section 2. DEFINITIONS

As used in this article, unless the context requires otherwise:

(1) "Person" means an individual, corporation, association, firm, partnership, committee, club, or other organization, or a group of persons who are voluntarily acting in concert.

(2) "Legislation" means a bill, resolution, amendment, nomination, or other matter pending in either house of the legislature; and any other matter which may be the subject of action by either house, including the introduction, consideration, passage, defeat, approval, or veto of the matter; or any matter pending in or which may be the subject of action by a constitutional convention.

(3) "Legislative branch" means a member, member-elect, candidate for, or officer of the legislature or a legislative committee, or an employee of the legislature.

(4) "Executive branch" means an officer, officer-elect, candidate for, or employee of any state agency, department, or office in the executive branch of government.

(5) "Lobbying" means the practice of promoting or opposing the introduction or enactment of legislation before the Legislature or the

legislative committees or the members thereof, and shall also include the practice of promoting or opposing executive approval of legislation.

(6) "Lobbyist" means any person who engages in the practice of lobbying for hire including, but not limited to, the activities of any officer, agents, attorneys or employees of any principal who are paid a regular salary or retainer by such principal and whose duties include lobbying; Provided, the term lobbyist shall not include:

(a) Any person who limits his lobbying solely to appearances before legislative committees and who advises the committee in writing whom he represents;

(b) Any person who limits his lobbying activities solely to writing letters or furnishing written material to the Legislature or to committees thereof, or who furnishes to the Legislature public copies of letters or written material sent to individual members of the Legislature; and

(c) Any person who limits his lobbying solely to appearances before legislative committees upon the invitation of a member of Legislature, or at the direction of the Governor, and who so advises the committee at the time of his appearance and who receives no compensation for their appearance other than reimbursement from the state for expenses and engages in no further or other activities to influence legislation.

(d) Persons who own, publish, or are employed by a newspaper or other regularly published periodical, or a radio station, television station, wire service, or other bona fide news medium which in the ordinary course of business disseminates news, letters to the editors, editorial or other comment, or paid advertisements which directly or indirectly oppose or promote legislation, if such persons engage in no further or other activities and represent no other persons in connection with influencing legislation;

(7) A "principal" means any person who engages a lobbyist, and shall include any board, department, commission or other agency of the state, or any county, city, or any other political subdivision, which engages a lobbyist or other person in connection with any legislation pending or to be proposed affecting the statutory powers, duties or appropriation of such agency, county, municipal corporation, or other political subdivision.

(8) "Compensation" means money, service, facility, or thing of value or financial benefit which is received or to be received in return for or in connection with services rendered or to be rendered.

(9) "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit, or gift of money or any thing of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(10) "Corrupt practices" mean any violation of the provisions of this Act. In addition, the following shall be deemed to be corrupt practices:

(a) Instigating the introduction of legislation for the purpose of obtaining employment in opposition thereto;

(b) Attempting to influence the vote of the legislators on any measure pending or to be proposed by the promise of financial support or the financing of opposition to his candidacy at any future election; and

(c) Engaging in practices which reflect discredit on the practice of lobbying or on the Legislature; except that the making of a fair comment about the Legislature or a member thereof shall not be a corrupt practice.

(11) "Secretary" means the Secretary of State of the State of Alabama.

(a) Every person employed or retained as a lobbyist must register by filing an application form with the secretary within five (5) days after the first undertaking requiring registration;

(b) The application shall be written, verified, and shall contain the following information:

(1) the applicant's full name and address;

(2) the applicant's normal business and business address;

(3) the full name and address of the applicant's principal;

(4) a specific description of the matters on which the applicant expects to communicate directly with a member of the legislative or executive branch to influence legislation, including, if known, the bill numbers and whether the applicant supports or opposes each bill listed;

(5) if an applicant's activities are done on behalf of the members of a group other than a corporation, the application form shall include a statement of the number of members of the group and a full description of the methods by which the registrant develops and makes decisions about positions on policy; and

(6) a statement signed by the principal that he has read the application, knows its contents, and has authorized the applicant to be a lobbyist in his behalf as specified therein, and that no compensation will be paid to the applicant contingent upon passage or defeat of such measures.

(c) If the secretary is satisfied that the application has been properly prepared the registration shall be defined to be complete.

(d) A registrant shall file a supplemental registration indicating any change in the information contained in the registration within 10 days after the date of the change.

(e) The registrations of all lobbyists shall terminate with the adjournment of the session of the Legislature in which the registration was completed.

Section 4. ACTIVITIES REPORT

(a) Every person registered under Section 3 of this article and every principal employing such lobbyist shall file with the secretary a sworn statement concerning the activities set out in Subsection (b) of this section. The report must be filed:

(1) between the 1st and 15th day of each month subsequent to a month in which the legislature is in session covering the activities during the previous month; and

(2) between the 1st and 15th day of each month immediately subsequent to the last month in a calendar quarter covering the activities during the previous quarter.

(b) The report shall be written, verified, and contain the following information:

(1) All amounts received or expended directly or indirectly for the purpose of carrying on lobbying activities, but need not include amounts received by such lobbyist for his personal living expenses nor amounts received which are reportable as income to him for federal tax purposes unless his contract of employment provides that amounts received for such expenses or as such income may or shall be used for carrying on lobbying activities;

(2) A detailed statement of any money loaned or promised to legislators or to anyone on their behalf; and

(3) A statement of all money expended or promised in connection with carrying out lobbying activities, including, but not limited to, the payment of any bills for food, refreshments, entertainment, transportation or other services where members of the Legislature were included in the group for which or by which such bills were incurred. Such report shall include a breakdown of expenditures into the following categories:

(A) postage and telegraph;

(B) publication and advertising;

(C) travel and fees;

(D) entertainment;

(E) gifts, loans, and political contributions; and

(F) other expenditures; and

(4) a list of legislation supported or opposed by the registrant, by any person retained or employed by the registrant to appear on his behalf, or by any other person appearing on his behalf, together with a statement of the registrant's position for or against such legislation.

(c) The Secretary shall refer all such sworn statements to the Legislature which may require the lobbyist to furnish additional details with respect to the matters which are or should be included in such sworn statements. The Legislature itself may at any time require the furnishing of such additional details.

Section 5. TERMINATION NOTICE

(a) A person who ceases to engage in activities requiring him to register under Section 3 of this article shall file a written, verified statement with the secretary acknowledging the termination of activities. The notice is effective immediately.

(b) A person who files a notice of termination under this section must file the reports required under Section 4 of this article for any reporting period during which he was registered under this article.

Section 6. MAINTENANCE OF RECORDS

(a) All reports filed under this article are public records and shall be made available for public inspection during regular business hours.

(b) The secretary shall design and provide appropriate forms, covering only the items required to be disclosed under this Act, to be used for the registration and reporting of information required by this article, maintain registrations and reports in a separate, alphabetical file, purge the files of registrations and reports after five years from the date of filing, and maintain a deputy available to receive registrations

and reports and make such registrations and reports available to the public for inspection.

Section 7. VIOLATIONS AND PENALTY

(a) Any person who violates any of the provisions of this Article, willfully files any document provided for in this Article that contains any materially false statement or material omission, or willfully fails to comply with any material requirement of this article shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than Five Thousand (\$5,000.00) Dollars, or by imprisonment in the county jail for not more than twelve (12) months, or by both such fine and imprisonment.

(b) In addition to the penalties provided for in subsection (a) of this section, any person convicted of the misdemeanor specified therein is prohibited for a period of three (3) years from the date of conviction from attempting to influence for pay or consideration, directly or indirectly, the passage or defeat of any proposed legislation; and from appearing for pay or consideration before a committee of the Legislature in support of or opposition to proposed legislation. Any person who violates any provision of this subsection (b) shall be guilty of a felony and shall, upon conviction thereof, be punished by a fine of not more than Ten Thousand (\$10,000.00) Dollars, or by imprisonment in the state penitentiary for not more than three (3) years, or by both such fine and imprisonment.

(c) All prosecutions for violations of the provisions of this Article shall be maintained by the Attorney General.

Section 8. False Communications.

No person, for the purpose of influencing legislation, may;

(1) knowingly or wilfully make any false statement or misrepresentation of the facts to a member of the legislative or executive branch; or

(2) knowing a document to contain a false statement, cause a copy of the document to be received by a member of the legislative or executive branch without notifying such member in writing of the truth.

Section 9. Certain Professional Services Exempted.

The provisions of this Article shall not be construed as affecting professional services in drafting bills or in advising clients and in rendering opinions as to the construction and effect of proposed or pending legislation where such professional service is not otherwise connected with legislative action.

Section 10. Constitutional Right to Communicate.

Nothing in the provisions of this Act shall be construed as to deprive any citizen not lobbying for hire of his constitutional right to communicate with members of the Legislature.

Section 11. Repealer.

All laws or parts of laws which conflict with this Act are hereby repealed.

Section 12. Severability.

If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other

provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 13. Effective Date.

This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law."

Which was adopted.

Mr. Melton offered the following amendment to the substitute, as amended, for the Bill, S. B. 1, to-wit:

AMENDMENT TO BAILES SUBSTITUTE, AS AMENDED, FOR S. B. 1

Amend S. B. 1 by adding after Section 24 thereto Section 24a:

Section 24a. It is further provided that the Ethics Committee herein created shall reimburse any person who is required to file hereunder an amount which said person paid to have said report prepared.

Mr. Bailes moved that said amendment be laid on the table, which motion was lost.

Yeas 11; Nays 18.

Yeas:

Messrs.:	Edington	Lybrand	Register
Bailes	Harris	McLain	Shelby
Cook	King	Noonan	Vacca

—11

Nays:

Messrs.:	Foshee	Littleton	Pierce
Baker	Givhan	Melton	Weaver
Branyon	Hawkins	O'Bannon	Wilder
Dozier	Horne	Owen	Wilson
Fine	Jones	Pelham	

—18

And said amendment was then adopted by the Senate.

And said substitute, as thus amended, for the Bill, S. B. 1, was then adopted by the Senate.

Yeas 28; Nays 3.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Register
Baker	Foshee	Lybrand	Shelby
Branyon	Gilmore	McLain	Vacca
Carr	Givhan	Ma'one	Weaver
Clark	Hawkins	Melton	Wilder
Cook	Horne	Noonan	Wilson
Dominick			

—28

Nays:

Messrs.:	Dozier	Jones	Pierce
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—3

Mr. Harris offered the following amendment to the Bill, S. B. 1, as amended by the substitute, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Section 16. (a) by striking the figures "\$1,000," where they appear in subsection (3) thereof and inserting in lieu thereof the figures "\$3,000,;" and amend subsection 4 by striking therefrom the words "insurance policy or trust"; and by striking in their entirety subsection (6), (7), and (8) and substituting in lieu thereof the following:

(6) The name, instrument of ownership, and any position of employment held in any business entity doing business with the State of Alabama or any of its agencies or departments where the gross receipts for products, goods or services sold, furnished or supplied by such business entity to the State of Alabama or any of its agencies or departments, exceeds \$5,000 in any one calendar year, where the ownership by the person filing the statement (or his spouse, children, brothers, sisters or parents, singularly or collectively) in such business entity is in excess of \$3,000 as of the date of filing or where the person received \$1,000 or more as income from such business during the preceding calendar year. Do not list any time or demand deposit in a financial institution or any debt instrument having a fixed yield unless it is convertible to an equity instrument.

(7) The name, address and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director or partner, or serves in any advisory capacity, from which income of \$1,000 or more was received during the preceding calendar year.

(a) If the professional organization in which the person reporting or his spouse, child, brother, sister or parent is an officer, director or partner, or serves in any advisory capacity, has, during the preceding calendar year, received any compensation or entered into any agreement whereby compensation would be received, for services rendered or to be rendered, as a retainer, or otherwise, from any trade, organization, association or professional association, or from any person, firm or corporation whose regular business activities, as distinguished from mere licensing to do business, is subject to regulation and examination by a regulatory agency of the State of Alabama, and where such compensation to such professional organization during the preceding calendar year from any such trade organization, association or professional association, or corporation or other business entity exceeded the sum of \$1,000, then the person so reporting shall list the name and address of such trade organization, association, professional association, corporation or other business entity.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen
Bailes	Gilmore	Lybrand	Pelham
Branyon	Givhan	McLain	Pierce
Carr	Harris	Malone	Register
Clark	Hawkins	Melton	Vacca
Cook	Horne	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilson
Edington	King		

—29

Nays:

—0

Mr. Harris then offered the following amendment to the Bill, S. B. 1, as amended, to-wit:

AMENDMENT TO S. B. 1, AS AMENDED

Amend Section 15 by adding the following immediately following subsection (a):

"(b) Any person required by the terms hereof to file a disclosure of economic interests shall be deemed to have fully complied herewith for all purposes if he shall file a copy of his United States income tax return for the two years immediately preceding the date upon which statement is required to be filed."

Which was adopted.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Gilmore	Littleton	Pelham	
Bailes	Givhan	McLain	Pierce	
Baker	Harris	Melton	Register	
Carr	Hawkins	Noonan	Vacca	
Clark	Horne	O'Bannon	Weaver	
Cook	Jones	Owen	Wilson	
Fine	King			—25

Nays:

Messrs.:	Branyon	Dominick	Lybrand	—3
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And said Bill, S. B. 1, as thus amended, was then read a third time at length and passed.

Yeas 33; Nays 2.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—33

Nays:	Messrs. Pierce, Jones.	—2
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RETURN OF BILL REQUESTED

Mr. McLain moved that the House be requested to return to the Senate for further consideration the Bill, H. B. 1818, which motion was adopted, and the Secretary was so directed.

BILLS ON THIRD READING RESUMED

The Bill:

S. 528. To validate moral obligations, not exceeding five hundred dollars (\$500.00) in amount, paid by the Alabama Industrial School for Negro Children for motor vehicle accidents involving employees during the period October 1, 1966 through September 30, 1968.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Baker	Foshee	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Carr	Harris	Noonan	Vacca
Clark	Hawkins	O'Bannon	Weaver
Cook	Horne	Owen	Wilson
Dozier	Jones		

—29

Nays:

—0

FURTHER CONSIDERATION OF S. R. 96

The Senate proceeded to further consideration of the Resolution, S. R. 96.

Mr. Lybrand moved that said Resolution be laid on the table, which motion was lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Dominick	Hawkins	Melton
Bailes	Edington	King	Shelby
Baker	Gilmore	Lybrand	Vacca
Cook	Harris	McLain	

—14

Nays:

Messrs.:	Fine	Littleton	Pelham
Branyon	Foshee	Noonan	Register
Carr	Givhan	O'Bannon	Weaver
Clark	Horne	Owen	Wilson
Dozier	Lindsey		

—17

And said Resolution, S. R. 96, was then lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Dozier	Lindsey	Register
Branyon	Foshee	Littleton	Weaver
Carr	Givhan	Owen	Wilson
Clark	Horne	Pelham	

—14

Nays:

Messrs.:	Edington	King	Noonan
Bailes	Fine	Lybrand	Pierce
Baker	Gilmore	McLain	Shelby
Cook	Harris	Melton	Vacca
Dominick	Hawkins		

—17

Mr. Fine moved that the Senate reconsider the vote by which the Resolution, S. R. 96, was lost, and further moved that the motion to reconsider be postponed until the next legislative day.

Mr. Lybrand moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Gilmore	Lybrand	Vacca	
Baker	Harris	McLain	Wilder	
Dominick	Hawkins			—13

Nays:

Messrs.:	Fine	Littleton	Register	
Branyon	Foshee	Melton	Shelby	
Carr	Givhan	Owen	Weaver	
Clark	Horne	Pelham	Wilson	
Dozier	Lindsey			—17

The question was then on the motion of Mr. Fine, which was adopted, and further consideration of his motion to reconsider the Resolution, S. R. 96, was postponed until the next legislative day.

FURTHER CONSIDERATION OF S. B. 788

The Senate proceeded to further consideration of the Motion in Writing offered by Mr. Baker that the Senate reconsider the vote by which the Bill, S. B. 788, was lost.

On motion of Mr. Wilder, the motion to reconsider was postponed until the next legislative day.

FURTHER CONSIDERATION OF S. R. 98

The Senate proceeded to further consideration of the Resolution, S. R. 98.

The question was on the amendment offered by Mr. Pierce. On motion of Mr. Pierce, said amendment was laid on the table.

And said Resolution, S. R. 98, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1444. Relating to counties having a population of not less than 34,875 nor more than 36,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1463. Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

Also:

H. 1490. Relating to all counties having a population of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also.

H. 1492. Providing each judge in the Seventh Judicial Circuit an annual travel expense allowance.

Also:

H. 1493. Relating to the expense allowance of the members of any civil service commission in any city which has a civil service commission in any county having a population of 95,000 to 115,000.

Also:

H. 1494. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Also:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 23, 1973, through October 1, 1973.

Also:

H. 1498. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for violations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

Also:

H. 1499. Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within such county, so as to require the address and polling place upon the list of petitioners.

Also:

H. 1512. To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

Also:

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

Also:

H. 1519. Relating to all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 1520. Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

Also:

H. 1527. Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain vaults or be so equipped as to properly provide for the storage of said documents; and to provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

Also:

H. 1529. To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

Also:

H. 1548. To apply in counties having a population of not less than 90,000 nor more than 100,000; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences, seminars, meetings, and Bar Association meetings for the purpose of instruction and Continuing Legal Education.

Also:

H. 1564. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of the District Attorney.

Also:

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial census; providing further for the expense allowances of members of the county commission in such counties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1509. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 900. To provide retirement allowances for elected officials and former elected officials and former employees who are or have been elected officials of all municipalities of the state having a population of 300,000 or more according to the last and subsequent federal census.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 287. To fix and prescribe the salary of the tax collector in each county having a population of 600,000 or more according to the last or any subsequent federal census.

Also:

H. 636. To fix the compensation or salary of the assistant Tax Assessor or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Also:

H. 638. To fix the compensation or salary of the assistant Tax

Collector or deputy Tax Collector of any branch office of the Tax Collector in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Also:

H. 689. In all counties having a population of 500,000 or more according to the last or any succeeding Federal Decennial Census. Each member of the jury board, Commission or like body shall be paid an additional sum of fifty dollars (\$50.00) per month, to be paid monthly out of the County Treasury.

Also:

H. 776. To fix the compensation or salary of the Assistant to the Sheriff of any branch office of the Sheriff in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof; and to change the designation of said office to "Assistant Sheriff".

Also:

H. 836. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338, H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 858. To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Also:

H. 873. To further amend Section 4.04 of Act No. 452, Regular Session 1955, as amended, providing a Mayor-Council form of government for all cities having a population of more than 300,000 inhabitants.

Also:

H. 893. To further amend Section 3 of Act No. 695, H. 1072, Regular Session of 1951 (Acts 1951, p. 1198), as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Also:

H. 1115. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most

recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1116. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1167. To apply only in counties in the state having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 1205. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1266. Relating to counties having a population of not less than 13,200 nor more than 13,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoner; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1267. To amend Act No. 1171, Section 3, fixing the salary of

Deputy District Attorney No. 1 and Deputy District Attorney No. 2 of Henry County, Alabama, and providing for payment thereof.

Also:

H. 1269. Relating to Counties having a population of not less than 13,200 nor more than 13,800 according to the most recent Federal decennial census; to grant an allowance to the Circuit Clerk of such Counties for clerical assistance.

Also:

H. 1328. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in Marengo and Sumter Counties and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Also:

H. 1379. Relating to the eleventh judicial circuit; providing an expense allowance for all judges of such circuit; providing for a county salary supplement for such judges at the beginning of their next term of office.

Also:

H. 1393. To provide that the county governing body, the governing body of any municipality, and the governing body of any hospital in all counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, wherein there is no established emergency ambulance service, shall be authorized and empowered to execute contracts with ambulance services in any adjacent counties to provide for ambulance service to such counties, the municipalities and hospitals thereof.

Also:

H. 1424. To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a non-profit ambulance service.

Also:

H. 1446. Relating to counties having a population of not less than 52,500 nor more than 54,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1451. To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

Also:

H. 1453. To further amend Section 10, Act No. 334, Regular Ses-

sion 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

Also:

H. 1477. To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 1479. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

Also:

H. 1518. Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties.

Also:

H. 1528. To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeal conflicting laws.

Also:

H. 1531. To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Also:

H. 1344. Proposing an amendment to the Constitution of Alabama relative to the Buttahatchee River watershed Area.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1565. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; authorizing the county governing body to provide further for the compensation of the judge of law and equity court in such counties.

Also:

H. 1569. Relating to all Counties in the State of Alabama having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial Census; relieving the Clerk and Register of the Circuit Court of all such Counties of the duty of subscribing for, taking, filing, causing to be bound, and kept in their respective offices, copies of daily and weekly Newspapers published in the County.

Also:

H. 1574. Providing for expense allowances for the tax assessor and for the tax collector of counties having populations of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census.

Also:

H. 1602. Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

Also:

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

H. 1604. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Also:

H. 1605. To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county.

Also:

H. 1606. To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

Also:

H. 1610. To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide

that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the Probate Judge shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect.

Also:

H. 1614. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, In Equity.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

Also:

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

Also:

H. 1632. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette, in Fayette County.

Also:

H. 1642. To provide for additional compensation and method of payment of the Register In Equity of the Circuit Court of counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census.

Also:

H. 1643. Relating to the office of the sheriff in Blount County; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Also:

H. 1644. Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

Also:

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

Also:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the county commission, board of revenue, or like governing body of such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

Also:

H. 1666. To authorize and permit flea markets to remain open on

Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal decennial census, providing such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county.

Also:

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, providing that each such grocery store shall first obtain a special license from the license issuing officer of such county.

Also:

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of Registrars in counties having populations of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

Also:

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Also:

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

Also:

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

Also:

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

Also:

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

Also:

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex

officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county".

Also:

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

Also:

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

Also:

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

Also:

H. 1348. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 752. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Also:

H. 955. To provide further for the recording fee in the probate

office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Also:

H. 973. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; authorizing the governing body of any such counties or any municipality within such counties to provide recreational facilities and services; to provide for the creation, establishment, maintenance, and support of a recreation board in any such county or municipality; and to provide for the duties and powers of such boards.

Also:

H. 1006. To provide further for the selection of textbooks and instructional materials for use in public schools in counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1042. To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, p. 217) entitled "To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense."

Also:

H. 1183. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants, according to the most recent federal decennial census; amending Section 1 of Act No. 706, H. 989, Regular Session 1967, (Acts 1967, p. 1537), as amended, which section regulates the compensation of the county superintendent of education in said counties, so as to further regulate the compensation of said superintendent of education.

Also:

H. 1246. To amend Section 4 of Act No. 1789, H. 1900, Regular Session 1971 (Acts 1971, p. 2957), which act provides for the selection of the Superintendent of Education of Geneva County, so as to further provide for his traveling expense; providing retroactive effect.

Also:

H. 1325. Relating to all counties having a population of not less than 24,000 nor more than 24,800 according to the most recent Federal Decennial Census: to provide for expenses to preprint motor vehicle registration assessment sheets and tag receipts not to exceed \$2,500.00 in any one year subject to the approval and appropriation by the County Governing Body.

Also:

H. 1326. To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Also:

H. 1330. Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such

counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

Also:

H. 1370. Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1372. Relating to judicial procedure in the Thirty-Third Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

H. 1373. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-Third Judicial Circuit of Alabama.

Also:

H. 1374. To abolish the drawing of special venires in capital cases in the Thirty-Third Judicial Circuit of Alabama.

Also:

H. 1377. Relating to the eleventh judicial circuit; providing for the annual compensation of the chief deputy district attorney of such circuit.

Also:

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Also:

H. 1408. To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Commission on Education, and shall provide all funds necessary to pay the costs of such garbage collection.

Also:

H. 1421. Relating to Pike County authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

Also:

H. 1422. Relating to Pike County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1423. Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

Also:

H. 1434. Regulating further the compensation and meeting places of members of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1343. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Buttahatchee River Development Authority, for the development of the Buttahatchee River, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Buttahatchee River watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interests therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion and Lamar Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the

State by the Authority; and to provide for certain annual reports by the Authority.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

Also:

H. 1719. To authorize the establishment of branch banks in Hale County.

Also:

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

Also:

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

Also:

H. 1440. To propose an amendment to the Constitution of Ala-

bama with respect to the filling of vacancies in the office of judge of the circuit court holding at Madison County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1607. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

Also:

H. 1608. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

Also:

H. 1609. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

Also:

H. 1611. Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Colbert County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Also:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 150,000 nor more than 180,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Also:

H. 1634. Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the precincts taking applications for voter registration; to provide further for the powers, duties and compensation of such special registrars.

Also:

H. 1639. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

Also:

H. 1641. To amend Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing The Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to \$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

Also:

H. 1648. To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

Also:

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the second Judicial Circuit.

Also:

H. 1681. Relating to counties having populations of not less than 27,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

Also:

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Also:

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

Also:

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effect.

Also:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Also:

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

Also:

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

Also:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

Also:

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 302. Relating to Chambers County; providing further for the compensation of members of the board of registrars.

Also:

H. 303. To repeal Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), relating to counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census, which act abolishes the Court of County Commission of such counties and creates in lieu thereof a County Commission.

Also:

H. 304. Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

Also:

H. 305. Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for

the county, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

Also:

H. 306. To repeal Act No. 1696, H. 2309, Regular Session 1971 (Acts 1971, p. 2856), an act relating to all counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census; relieving the chief clerk of the probate judge of any duties as purchasing agent for the county, and authorizing the governing body to appoint another purchasing agent.

Also:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

Also:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Also:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the

Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Also:

H. 977. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Also:

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 997. To amend Act No. 993 (H.1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

Also:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

Also:

H. 1025. To establish the capital and surplus required to form a domestic stock life insurance company.

Also:

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 1083. To fix the compensation or salary of the President and members of the County Commission, or other governing body of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

Also:

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior

Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election or appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

Also:

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

Also:

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population of more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

Also:

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

Also:

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Also:

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Also:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 146. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Also:

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Also:

H. 212. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Also:

H. 251. To make an appropriation to the Department of Public Safety from the General fund of the State for certain communications system conversion requirements as recommended by the State Communications Master Plan.

Also:

H. 331. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Also:

H. 447. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provided for the inspection and the charging of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment

or preservation of wood products shall be one-fortieth of one cent (1/40¢) per gallon.

Also:

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature, or to any licensed retailer in any county in which such a civic center is located, a revocable permit to sell or dispense draft or keg beer or malt beverages.

Also:

H. 649. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Also:

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 784. To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last or any subsequent federal census.

Also:

H. 785. To amend Section 3.07 and Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

Also:

H. 787. To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Also:

H. 803. To amend Sections 38, 39 and 51 of Title 18 of the Code of Alabama 1940, relating to electric cooperatives, so as to provide for the designation of a quorum at all meetings of the members, to provide for the board of trustees of the cooperative, and to provide for the encumbering of the property of the cooperative.

Also:

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

Also:

H. 860. To amend Section 3 of Act No. 169, H. 27, Regular Session 1945, (Acts 1945, p. 285), as last amended, which section sets the rates of the forest products severance tax, so as to provide for a privilege tax to be levied against the manufacturer or processor utilizing the forest products; and to provide the manner of levying privilege tax.

Also:

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1698. To amend Sections 2, 4, 6, 9 and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, and duties; naming the Judge of Probate to also serve as the Judge of said Court; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

Also:

H. 1360. To create the office of license inspector in all counties having populations of not less than 115,000 and not more than 150,000, according to the most recent federal decennial census; to provide for the supervision of such office by the governing body of such counties; to authorize the governing body of such counties to provide for certain personnel and duties of such office and for salaries; to repeal Section 18 of Act No. 1292, H. 1795, Regular Session 1971 (Acts 1971, p. 2220).

Also:

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 167. Commending Mrs. Juanita Ledbetter upon being named President of the Alabama Association of School Office Personnel.

Also:

H. J. R. 168. Mourning the death of Mr. William A. Oldacre.

Also:

H. J. R. 169. Commending Mr. Bart Starr.

Also:

H. J. R. 170 Commending John T. "Tommy" Kirk.

Also:

H. J. R. 171. Commending Lewis E. McCray for His American Legion and Other Civic Activities, and Wishing Him the Best of Luck Toward His Election as National Commander of the American Legion.

Also:

H. J. R. 173. Requesting State Personnel Board to survey environmental and industrial professional and technical personnel classifications in southeastern region.

Also:

H. J. R. 180. Mourning the death of John Myric Ashley, Jr.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

SPECIAL ORDERS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Special Orders for today, the first of which was the Bill:

S. 851. To make a conditional appropriation to the Special Mental Health Fund from the State General Fund for each of the two fiscal years ending September 30, 1974, and September 30, 1975.

And said Bill was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Edington	King	Owen
Baker	Fine	Littleton	Pelham
Branyon	Foshee	Lybrand	Shelby
Carr	Gilmore	McLain	Vacca
Clark	Givhan	Melton	Wilder
Cook	Harris	Noonan	Wilson
Dominick	Hawkins		

—29

Nays:

—0

The Bill:

S. 47. To amend Act No. 2289, H. 101, of the 1971 Regular Session, which provides a cost of living increase to certain retired members of the Teachers' Retirement System of Alabama, so as to increase the raise in retirement benefits and the appropriation therefor.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 47, to-wit:

SUBSTITUTE FOR S. B. 47

A BILL TO BE ENTITLED AN ACT

To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 366 of Title 52 of the Code of Alabama as amended be and is hereby amended to read as follows:

S. 366. BENEFITS. (1) (a) Any member who withdraws from service upon or after attainment of age sixty may retire upon written application to the Board of Control setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof he desires to be retired, provided that any such member who became a member on or after October 1, 1963 shall have completed ten or more years of creditable service.

(b) Any member who has attained age sixty and has previously withdrawn from service may retire upon written application to the Board of Control setting forth at what time, not less than thirty days nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired, provided that the said member shall have completed at the time for his withdrawal from service, the requirements established by the Board of Control for eligibility for deferred benefits pursuant to Section 364 of this title.

(c) Any teacher in service who has attained age seventy shall be retired, or shall withdraw from service, forthwith, provided that with the approval of his employer, he may remain in service until the end of the then current school year which shall be no later than June 30 following the date on which he attains age seventy.

(2) Upon retirement from service a member shall receive a service retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and

(b) a pension which shall be equal to the annuity allowable at age of retirement, but not to exceed an annuity allowable at age sixty-five computed on the basis of contributions made prior to the attainment of age sixty-five; and

(c) if he has a prior service certificate in full force and effect an additional pension which shall be equal to the annuity which would have been provided at age of retirement, but not to exceed an annuity allowable at age sixty-five by twice the contributions which he would have made during the period of prior service with which he is credited, had the system been in operation and had he contributed thereunder. In lieu of a determination of the actual compensation of the members that was received during such prior service, the Board of Control may use for the purposes of this chapter the compensation rates which, if they had progressed with the rates of salary increase shown in the tables as prescribed in Section 367, sub-section (13), of this title, would have resulted in the same average salary of the member for the five years immediately preceding the date of establishment as the records show the member actually received; and

(d) the annual service retirement pension payable to a member retiring on or after October 1, 1971 shall not be less than an amount which when added to his annuity is equal to the greater of the following two amounts: (i) one and three-fourths per centum of the member's average final compensation multiplied by the number of years of his creditable service, provided that no member shall receive in excess of (80) eighty per centum of average final compensation except as otherwise provided by the Legislature. Or ((ii) if he became a member before October 1, 1971, \$72.00 multiplied by the number of years of his creditable service not in excess of twenty-five years. Notwithstanding those members who retired prior to October 1, 1971 under service retirement shall receive \$100.80 multiplied by the number of years of his creditable service not in excess of twenty-five years.

(2¼) Upon the application of a member in service or of his employer, any member who has had ten or more years of creditable service may be retired by the Board of Control on a disability retirement allowance not less than thirty nor more than ninety days next following the date of filing such an application; provided that the Medical Board, after a medical examination of such member, shall certify that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired.

(2½) Upon retirement for disability a member shall receive a service retirement allowance if he has attained age 60, otherwise he shall receive a disability retirement allowance which shall consist of:

(a) an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement and

(b) a pension which shall be equal to the pension that would have been payable under paragraphs (b) and (c) of Subsection (2) of this Section upon service retirement at age 60 had the member continued in service to said age without change in compensation, reduced by one fourth of one per centum for each month by which his date of retirement precedes his sixtieth birthday to a maximum reduction of twenty-five per centum. The annual disability retirement pension shall not be less than an amount which when added to his annuity is equal to the greater of the following two amounts: (i) one and three-fourths per centum of the member's average final compensation multiplied by the number of years of creditable service reduced by one fourth of one per centum for each month by which his date of retirement precedes his sixtieth birthday to a maximum reduction of twenty-five per centum or (ii) if he became a member before October 1, 1971, \$54.00 multiplied by the number of years of his creditable service not in excess of twenty-five years. Notwithstanding those members who retired prior to October 1, 1971 for disability shall receive \$75.60 multiplied by the number of years of his creditable service not in excess of twenty-five years.

(2 $\frac{3}{4}$) (a) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three year period thereafter the Board of Control may, and upon his application shall require any disability beneficiary who has not yet attained age sixty to undergo a medical examination, such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon, by a physician of or designated by the Medical Board. Should any disability beneficiary who has not yet attained age sixty refuse to submit to such medical examination, his pension may be discontinued until his withdrawal of such refusal and should his refusal continue for one year, all his rights in and to his pension may be revoked by the Board of Control.

(b) Should the Medical Board report and certify to the Board of Control that a disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation, and should the Board of Control concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him shall equal the amount of his average final compensation. Should his earning capacity be later changed, the amount of his pension may be further modified; provided that the new pension shall not exceed the amount of the pension originally granted, nor an amount which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his average final compensation.

(3) (a) Should a member cease to be a teacher except by death or by retirement under the provisions of this chapter, the contributions standing to the credit of his individual account in the annuity savings fund shall be paid to him upon demand, and in addition to such payment there shall be paid five-tenths of the interest accumulations standing to the credit of his individual account if he shall have not less than three but less than sixteen years of membership service, six-tenths of such interest accumulations if he shall have not less than sixteen, but less than twenty-one years of membership service, seventh-tenths of such interest accumulations if he shall have not less than twenty-one but less than twenty-six years of membership service and eight-tenths of such interest accumulations if he shall have not less than twenty-six years of membership service.

(b) In case of the death of a member eligible for service retirement pursuant to Subsection (1) of this section, an allowance shall be

paid to the surviving spouse in an amount that would have been payable if the member had retired immediately prior to his death and had elected Option 3, as set forth in Subsection (4) of this section; or

(c) In case of the death of a member not eligible for service retirement, after completion of twenty-five years of creditable service, an allowance shall be paid to the surviving spouse in an amount that would have been payable if the member had retired for disability immediately prior to his death and had elected Option 3, as set forth in Subsection (4) of this section, or if the surviving spouse desires he may choose to receive the accumulated contributions of the member in lieu of the allowance provided under Option 3, plus an amount equal to the accumulated contributions of the member not to exceed \$5,000.00; or

(d) Upon the death of a member on account of whom no survivor allowance is payable under (b) or (c) above the accumulated contributions of the member plus an amount equal to the accumulated contributions not to exceed \$5,000.00 shall be paid to his estate, or to such person as he shall have nominated by written designation duly executed and filed with the Board of Control.

(4) With the provision that no election of an option shall be effective until the end of the month following the effective date of retirement, and that should a beneficiary die before his first benefit payment is due at the end of the month following the effective date of retirement, he shall be considered as an active member at the time of death, any member may elect prior to retirement to receive, in lieu of his retirement allowance payable throughout life the actuarial equivalent at that time of his retirement allowance in a reduced retirement allowance payable throughout life with the provision that: Option 1. If he dies before he has received in annuity payments the present value of his annuity as it was at the time of his retirement, the balance shall be paid to his legal representatives of to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control; or Option 2. Upon his death, his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control at the time of his retirement; or Option 3. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Control at the time of his retirement; or Option 4. Some other benefit or benefits shall be paid either to the member or to such person or persons as he shall nominate, provided such other benefit or benefits, together with the reduced retirement allowance, shall be certified by the actuary to be of equivalent actuarial value to his retirement allowance and shall be approved by the Board of Control.

(5) (a) Should any beneficiary be restored to active service from service retirement, or from disability retirement on or after attainment of age fifty, his retirement allowance shall be suspended until he again withdraws from service, he shall not again become a member, nor shall he make contributions, except that should such beneficiary, who has been restored to active service, continue in service for a period of five or more years from the date of his re-entry into active service, he may request the Board of Control to allow him to again become a member of the Retirement System. The Board of Control may grant the request for restoration to membership provided such beneficiary whose retirement allowance has been suspended repays to the system all monies received by him as benefits during any periods subsequent to the date of his re-entry into active service and provided further that he makes a contribution equal to the amount he would have contributed had he been a

member during the period of his restoration to active service on a suspended allowance basis, together with the interest which would have been credited to the contributions on account of such period of restoration up to the date such contribution is made.

(b) Should any beneficiary on disability retirement be restored to active service before reaching age fifty, he shall again become a member of the Retirement System and shall make contributions.

(6) (a) All retirement allowance payments due on or after October 1, 1973 to members who retired prior to October 1, 1971 shall be redetermined as if the provisions of subsection (2) and (2½) of this section which became effective on said date were in effect at the time the member retired, provided that the annual retirement allowance of any member who retired on or before January 1, 1956 shall be not less than \$110.88 multiplied by the number of years of his creditable service not in excess of thirty years, in the case of service retirement, or \$83.16 multiplied by the number of years of creditable service not in excess of thirty years, in the case of disability retirements. Any increase provided in the retirement allowance payment under this subsection (6) for a member who retired under the provisions of any optional benefit elected pursuant to subsection (4) of this section shall accrue only to the retired member, and no person designated to receive any payments after the death of a retired member under the provisions of any such optional benefit shall receive any increase in such payments under this subsection.

(b) Any person who served at least thirty years as a teacher in the public schools of Alabama and was never a member of the system and who, prior to October 1, 1963, was in receipt of a benefit for old age assistance pursuant to subsection (1) and (2) of Section 1 of Act 116, approved August 24, 1959 shall be entitled to receive an annual retirement allowance of \$3,326.40 from the System, effective as of October 1, 1973.

(c) Prior to October 31, 1973 any beneficiary may elect to leave on deposit with the system all or a specified part of any increase in his monthly retirement allowance payments arising in accordance with paragraph (a) or (b) of this subsection. The portion of each monthly payment left in the system in accordance with such election shall be credited, together with regular interest thereon, to the individual account of such beneficiary. Upon the death of such beneficiary the total amount standing to his credit, including regular interest to the date of death, shall be paid in a lump sum to his legal representative or to such person as he shall have nominated by written designation duly acknowledged and filed with the Board of Control.

Section 2. Appropriation. There is hereby appropriated from any monies in the Alabama Special Education Trust Fund the amount of \$1,300,000.00 for the fiscal year beginning October 1, 1973 and \$1,100,000.00 for the fiscal year beginning October 1, 1974 for the purpose of carrying out the provisions of this Act. Thereafter such amounts as are necessary shall be included in the biennial appropriation Bill which is submitted to the Legislature under the provisions of Section 369 of Title 52 of the Code of Alabama of 1940 as amended.

Section 3. The benefits provided by this Act are not retroactive nor shall they apply to any deceased retired teacher.

Section 4. This Act shall become effective October 1, 1973.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Edington	Littleton	Pierce
Baker	Fine	Lybrand	Register
Branyon	Foshee	McLain	Shelby
Carr	Givhan	Melton	Vacca
Clark	Hawkins	Noonan	Weaver
Cook	Horne	O'Bannon	Wilder
Dominick	King	Owen	Wilson

—31

Nays:

—0

And said Bill, S. B. 47, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Edington	Lindsey	Pierce
Baker	Fine	Littleton	Register
Branyon	Foshee	McLain	Shelby
Carr	Givhan	Melton	Vacca
Clark	Harris	Noonan	Weaver
Cook	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson

—31

Nays:

—0

The Bill:

S. 214. To propose an amendment to the Constitution of Alabama with respect to Article VI thereof which creates the Judicial Department of the State and prescribes the powers, duties and functions of all courts and the powers, duties, functions and qualifications of all judicial officers.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 214, to-wit:

COMMITTEE SUBSTITUTE BILL FOR S. B. NO. 214

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama with respect to Article VI thereof which creates the Judicial Department of the State and prescribes the powers, duties and functions of all courts and the powers, duties, functions and qualifications of all judicial, prosecuting, and administrative officers; and for the repeal of Article VI of the Constitution of Alabama of 1901 as amended, and amendments 317 and 323 thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part of the Constitution when approved and proclaimed as prescribed by law.

CONSTITUTIONAL AMENDMENT

1. Article VI of the Constitution of Alabama of 1901 as amended, and amendments 317 and 323 thereof, are hereby repealed and in lieu thereof the following Article shall be adopted:

ARTICLE VI THE JUDICIAL DEPARTMENT

6.01 Judicial Power.

(a) Except as otherwise provided by this Constitution, the judicial power of the state shall be vested exclusively in a unified judicial system which shall consist of a supreme court, a court of criminal appeals, a court of civil appeals, a trial court of general jurisdiction known as the circuit court, a trial court of limited jurisdiction known as the district court and a probate court.

(b) The legislature may create judicial officers with authority to issue warrants and may vest in administrative agencies established by law such judicial powers as may be reasonably necessary as an incident to the accomplishment of the purposes for which the agencies are created.

6.02. The Supreme Court.

(a) The supreme court shall be the highest court of the state and shall consist of one chief justice and such number of associate justices as may be prescribed by law.

(b) The supreme court shall have original jurisdiction (1) of cases and controversies as provided by this Constitution, (2) to issue such remedial writs or orders as may be necessary to give it general supervision and control of courts of inferior jurisdiction, and (3) to answer questions of state law certified by a court of the United States.

(c) The supreme court shall have such appellate jurisdiction as may be provided by law.

6.03. Courts of Appeals.

(a) The court of criminal appeals shall consist of such number of judges as may be provided by law and shall exercise appellate jurisdiction under such terms and conditions as shall be provided by law and by rules of the supreme court.

(b) The court of civil appeals shall consist of such number of judges as may be provided by law and shall exercise appellate jurisdiction under such terms and conditions as shall be provided by law and by rules of the supreme court.

(c) The court of criminal appeals and the court of civil appeals shall have no original jurisdiction except the power to issue all writs necessary or appropriate in aid of appellate jurisdiction of the courts of appeals.

6.04. Circuit Court.

(a) The state shall be divided into judicial circuits. For each circuit, there shall be one circuit court having such divisions and consisting of such number of judges as shall be provided by law.

(b) The circuit court shall exercise general jurisdiction in all cases except as may otherwise be provided by law. The circuit court may be authorized by law to review decisions of state administrative agencies and decisions of inferior courts. It shall have authority to issue such writs as may be necessary or appropriate to effectuate its powers, and shall have such other powers as may be provided by law.

6.05. District Court.

The district court shall be a court of limited jurisdiction and shall exercise uniform original jurisdiction in such cases, and within such geographical boundaries, as shall be prescribed by law.

6.06. Probate Court.

There shall be a probate court in each county which shall have such jurisdiction as may be provided by law.

6.07. Qualifications of Judges.

Judges of the supreme court, courts of appeals, circuit court and district court shall be licensed to practice law in this state and have such other qualifications as the legislature may prescribe. Judges of the probate court shall have such qualifications as may be provided by law.

6.08. Prohibited Activities.

(a) No judge of any court of this state shall, during his continuance in office, engage in the practice of law or receive any remuneration for his judicial service except the salary and allowances authorized by law.

(b) No judge, except a judge of a probate court, shall seek or accept any non-judicial elective office, or hold any other office of public trust, excepting service in the military forces of the state or federal governments.

(c) The supreme court shall adopt rules of conduct and canons of ethics, not inconsistent with the provisions of this Constitution, for the judges of all courts of this state.

6.09. Judicial Compensation.

(a) A state judicial compensation commission is hereby created which shall recommend the salary and expense allowances to be paid from the state treasury for all the judges of this state except for judges of the probate court. The commission shall consist of five members; one shall be appointed by the governor, one by the president of the senate, one by the speaker of the house, and two by the governing body of the Alabama State Bar.

(b) Members of the judicial compensation commission shall serve for terms of four years. Any vacancy on the commission shall be filled in the same manner in which such position was originally filled. The legislature shall appropriate sufficient funds for the expenses of the commission.

(c) No member of the commission shall hold any other public office, or office in any political party, and no member of the commission shall be eligible for appointment to a state judicial office so long as he is a member of the commission and for two years thereafter.

(d) The commission may submit a report to the legislature at any time within the first five calendar days of any session. The recommendations of the commission shall become law unless rejected by a

joint resolution or altered by act of the legislature at the session to which the report is submitted. The compensation of a judge shall not be diminished during his official term.

6.10. Administration.

The chief justice of the supreme court shall be the administrative head of the judicial system. He shall appoint an administrative director of courts and other needed personnel to assist him with his administrative tasks. The chief justice may assign appellate justices and judges to any appellate court for temporary service and trial judges, supernumerary justices and judges, and retired trial judges and retired appellate judges for temporary service in any court. Adequate and reasonable financing for the entire unified judicial system, exclusive of the probate courts, shall be provided. A committee composed of the chief justice, presiding judge of the court of criminal appeals, presiding judge of the court of civil appeals and the administrative director of courts shall make appropriation recommendations to the governor and the legislature for state appropriations for the entire unified judicial system, exclusive of probate courts; however, this shall not prevent any court from submitting to the governor and the legislature its own appropriation recommendations.

6.11. Power to Make Rules.

The supreme court shall make and promulgate rules governing the administration of all courts and rules governing practice and procedure in all courts. These rules may be changed by a general act of statewide application.

6.12. Number of Circuit and District Judges.

(a) The supreme court shall establish criteria for determining the number and boundaries of judicial circuits and districts, and the number of judges needed in each circuit and district. If the supreme court finds that a need exists for increasing or decreasing the number of circuit or district judges, or for changing the boundaries of judicial circuits or districts, it shall, at the beginning of any session of the legislature, certify its findings and recommendations to the legislature.

(b) If a bill is introduced at any session of the legislature to increase or decrease the number of circuit or district judges, or to change the boundaries of any judicial circuit or district, the supreme court shall, within three weeks, report to the legislature its recommendations on the proposed change. No change shall be made in the number of circuit or district judges, or the boundaries of any judicial circuit or district unless authorized by an act adopted after the recommendation of the supreme court on such proposal has been filed with the legislature.

(c) An act decreasing the number of circuit or district judges shall not affect the right of any judge to hold his office for his full term.

6.13. Election of Judges.

All judges shall be elected by vote of the electors within the territorial jurisdiction of their respective courts.

6.14. Vacancies in Judicial Office.

The office of a judge shall be vacant if he dies, resigns, retires, or is removed. Vacancies in any judicial office shall be filled by appointment by the governor; however, vacancies occurring in any judicial office in Jefferson County shall be filled as now provided by Amendments 83 and 110 to the Constitution of Alabama of 1901. A judge, other than a probate judge, appointed to fill a vacancy, shall serve an

initial term lasting until the first Monday after the second Tuesday in January following the next general election held after he has completed one year in office. At such election such judicial office shall be filled for a full term of office beginning at the end of the appointed term.

6.15. Tenure of Office.

(a) The term of office of each judge of a court of the judicial system of this state shall be six years.

(b) A law reducing the number of judges of the supreme court or of a court of appeals shall be without prejudice to the right of the judges affected to seek retention in office. The reduction shall become effective when a vacancy in the affected court occurs.

6.16. Retirement.

The legislature shall provide by law for the retirement of judges, including supernumerary judges, with such conditions, retirement benefits, and pensions for them and their dependents as it may prescribe. No person shall be elected or appointed to a judicial office after reaching the age of seventy years, provided that a judge over the age of seventy may be appointed to the office of supernumerary judge if he is not eligible to receive state judicial retirement benefits.

6.17. Judicial Inquiry Commission.

(a) A judicial inquiry commission is created consisting of seven members. The supreme court shall appoint one appellate justice or judge and the circuit judges' association shall appoint two judges of the circuit court as members of the commission. The governor shall appoint two persons who are not lawyers and the governing body of the Alabama State Bar shall appoint two members of the State Bar to serve as members of the commission. The commission shall select its own chairman. The terms of the members of the commission shall be four years. A vacancy on the commission shall be filled for a full term in the manner the original appointment was made.

(b) The commission shall be convened permanently with authority to conduct investigations, receive or initiate complaints concerning any judge of a court of the judicial system of this state. The commission shall file a complaint with the court of the judiciary in the event that a majority of the members of the commission decide that a reasonable basis exists, (1) to charge a judge with violation of any canon of judicial ethics, misconduct in office, failure to perform his duties, or (2) to charge that the judge is physically or mentally unable to perform his duties. All proceedings of the commission shall be confidential except the filing of a complaint with the court of the judiciary. The commission shall prosecute the complaints.

(c) The supreme court shall adopt rules governing the procedures of the commission.

(d) The commission shall have subpoena power and authority to appoint and direct its staff. Members of the commission who are not judges shall receive per diem compensation and necessary expenses; members who are judges shall receive necessary expenses only. The legislature shall appropriate funds for the operation of the commission.

6.18. Court of the Judiciary.

(a) The court of the judiciary is created consisting of one judge of an appellate court, who shall be selected by the supreme court and shall serve as chief judge of the court of the judiciary, two judges of the circuit court, who shall be selected by the circuit judges' association, and

two members of the State Bar, who shall be selected by the governing body of the Alabama State Bar. The court shall be convened to hear complaints filed by the judicial inquiry commission. The court shall have authority, after notice and public hearing (1) to remove from office, suspend without pay, or censure a judge, or apply such other sanction as may be prescribed by law, for violation of a canon of judicial ethics, misconduct in office, failure to perform his duties, or (2) to suspend with or without pay, or to retire a judge who is physically or mentally unable to perform his duties.

(b) A judge aggrieved by a decision of the court of the judiciary may appeal to the supreme court. The supreme court shall review the record of the proceedings on the law and the facts.

(c) The supreme court shall adopt rules governing the procedures of the court of the judiciary.

(d) The court of the judiciary shall have power to issue subpoenas. The legislature shall provide by law for the expenses of the court.

6.19. Disqualification.

A judge shall be disqualified from acting as a judge, without loss of salary, while there is pending (1) an indictment or an information charging him in the United States with a crime punishable as a felony under a state or federal law, or (2) a complaint against him filed by the judicial inquiry commission with the court of the judiciary.

6.20. District Attorneys, Clerks, Court Revenue.

(a) A district attorney for each judicial circuit shall be elected by the qualified electors of those counties in such circuit. Such district attorney shall be licensed to practice law in this state and shall, at the time of his election and during his continuance in office, reside in his circuit. His term of office shall be for six years and he shall receive such compensation as provided by law. Vacancies in the office of district attorney and in his staff shall be filled as provided by law.

(b) Clerks of the circuit courts shall be elected by the qualified electors in each county for a term of six years. If the office of register in chancery continues to be provided by law then the clerk of the circuit court may also fill such office in a manner prescribed by law. Vacancies in the office of clerk of the circuit court shall be filled by the judge or judges of the circuit court who have jurisdiction over the county in which the office of clerk of the circuit court is located.

(c) The revenue from fines, forfeitures and court costs produced from the violation of municipal ordinances shall be apportioned between the applicable municipality and the state as shall be provided by law.

6.21. Continuation of Courts, District Attorneys, Clerks.

(a) All courts not herein authorized which are in existence at the time this Article becomes effective shall retain their powers for four years, unless sooner terminated by act of the legislature.

(b) All judges of the supreme court, court of criminal appeals, court of civil appeals and circuit courts shall retain their offices for the remainder of their respective terms.

(c) All justices of the supreme court in office when this Article becomes effective shall be justices of the supreme court. All judges of the court of criminal appeals shall be judges of the court of criminal appeals. All judges of the court of civil appeals shall be judges of the

court of civil appeals. All circuit judges in office when this Article becomes effective shall be judges of the circuit courts.

(d) All judges of any court in this state, excepting the supreme court, court of criminal appeals, court of civil appeals, circuit courts, probate courts, and city courts, whose salaries or compensation are paid by their respective counties, who are qualified under the provisions of this Article, and who are holding office at the time of the approval of this Constitutional Amendment by the legislature and on the date of the establishment of the district court, shall be commissioned judges of the district court. Each such judge, accepting commission as a district judge, shall serve an initial term lasting until the first Monday after the second Tuesday in January following the next general election after he has completed three years in office as a district judge. At such election said judicial office shall be filled for a full term of office beginning at the end of the term for which such judge was commissioned.

(e) All judges of any city court in this state in cities which have more than one such judge at the time of approval of this Constitutional Amendment by the legislature and on the date of the establishment of the district court, if otherwise qualified under the provisions of this Article, shall be commissioned judges of the district court. Each such judge accepting commission as a district judge shall serve an initial term lasting until the first Monday after the second Tuesday in January following the next general election after he has completed three years in office as a district judge. At such election said judicial office shall be filled for a full term of office beginning at the end of the term for which such judge was commissioned.

(f) All district attorneys of any circuit of this state, who are qualified under the provisions of this Article, and who are holding office at the time of the approval of this Constitutional Amendment by the electors of the state, shall retain their offices for the remainder of their respective terms.

(g) All clerks of the circuit court of this state, who are holding office at the time of the approval of this Constitutional Amendment by the electors of the state, shall retain their offices for the remainder of their respective terms.

(h) Except to the extent inconsistent with the provisions of this Article, all provisions of law and rules of court in force on the effective date of this Article shall continue in effect until superseded in the manner authorized by the Constitution.

Section 2. An election upon the proposed Amendment is to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama of 1901, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed Amendment shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. If a newspaper is not published in the county, a copy of the notice shall be posted at the courthouse and in three other places in the county.

Mr. King offered the following amendment to the substitute for the Bill, S. B. 214, to-wit:

AMENDMENT TO COMMITTEE SUBSTITUTE FOR S. B. 214

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.01, Paragraph (a), by changing the period at the end thereof to a comma

and adding the following words: "and a municipal court, to be known also as a recorder's court."

Amend S. B. 214, as substituted, Section 1, Article VI, by adding, after Section 6.06, a new section to be known as Section 6.065, and captioned "Municipal Court" and to read as follows:

"There shall be a municipal court, to be known also as a recorder's court, in each incorporated municipality, which court shall have such jurisdiction as may be provided by law."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.07, by adding at the end thereof the following sentence:

"Judges of the municipal court shall have such qualifications as may be provided by law."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.08, Paragraph (a), by adding in the first line after the word "state" the phrase: "except judges of a municipal court."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.08, Paragraph (b), by adding in the first line after the word "court" the phrase: "and except a judge of a municipal court."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.09, Paragraph (a), by deleting the period at the end of the first sentence and adding a comma and the phrase: "and for judges of the municipal court."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.10, by deleting the period at the end of the third sentence thereof and adding the phrase: "except municipal courts," and in the fourth sentence thereof, after the word "courts," add the following: "and the municipal courts," and in the fifth sentence thereof, after the phrase "exclusive of probate courts," insert the following: "and the municipal courts,".

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.13, by deleting the period at the end of the section and adding a comma and the phrase "except judges of the municipal courts."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.14, by inserting in the second sentence thereof, after the phrase "vacancies in any judicial office," the phrase "except municipal courts," and at the end of said section, add a new sentence to read as follows: "Vacancies occurring in the office of judge of a municipal court shall be filled by appointment as provided by law."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.15, Paragraph (a), by adding a new sentence to read as follows: "The term of office of each judge of a municipal court shall be the term fixed by the governing body of the municipality."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.16, by inserting in the first sentence after the first use of the word "judges" the following: "except municipal judges,".

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.20, by striking Paragraph (c) and substituting in lieu thereof the following paragraph:

"The revenue from fines, forfeitures and court costs produced from the violation of municipal ordinances shall be handled and accounted for by the applicable municipality. Costs assessed under authority of a

legislative act for the defense of indigent defendants, arising out of proceedings in a municipal court, shall be used exclusively for the defense of indigents in a municipal court."

Amend S. B. 214, as substituted, Section 1, Article VI, Section 6.21, by striking all of Paragraph (e) and renumbering the succeeding Paragraph (f) to (e), the succeeding Paragraph (g) to (f), and the succeeding Paragraph (h) to (g).

On motion of Mr. O'Bannon, said amendment was laid on the table.

Mr. Littleton offered the following amendment to the substitute for the Bill, S. B. 214, to-wit:

AMENDMENT TO COMMITTEE SUBSTITUTE FOR S. B. 214

Amend the substitute for S. B. 214 by inserting the following at the end of 6.07, page 3:

"Provided, however, that all incumbent judicial officers affected by this section shall be exempted from the provision with respect to being a licensed attorney."

On motion of Mr. O'Bannon, said amendment was laid on the table.

Yeas 19; Nays 6.

Yeas:

Messrs.:	Dominick	Lindsey	Pierce
Bailes	Edington	McLain	Register
Baker	Fine	Melton	Shelby
Carr	Harris	Noonan	Vacca
Cook	King	O'Bannon	Wilson

—19

Nays:

Messrs.:	Clark	Foshee	Owen
Branyon	Dozier	Littleton	

—6

Mr. Baker offered the following amendment to the substitute for the Bill, S. B. 214, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 214

Senate Bill 214 is hereby amended by changing Section 6.11 thereof so as to read as follows:

SECTION 6.11. POWER TO MAKE RULES

The supreme court shall make and promulgate rules governing the administration of all courts and rules governing practice and procedure in all courts; provided, however, that such rules shall not abridge, enlarge or modify the substantive right of any party nor fix the jurisdiction of circuit and district courts or venue of actions therein; and provided, further, that the right of trial by jury as declared by Section 11 of the Constitution of Alabama of 1901 shall be preserved to the parties inviolate. These rules may be changed by a general act of statewide application.

On motion of Mr. O'Bannon, said amendment was laid on the table.

Mr. Dominick then offered the following amendment to the substitute for the Bill, S. B. 214, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 214

In Section 1, item 1 of the proposed amendment strike out the words: "amendments 317 and" and insert in lieu thereof the word: amendment

Also in Section 1, Article VI of the proposed amendment, strike out in their entirety Sections 6.17, 6.18 and 6.19 and renumber the section of such Article following the sections hereby deleted so that it will be numbered Section 6.17.

On motion of Mr. O'Bannon, said amendment was laid on the table.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Harris	Lybrand	Pierce
Clark	Jones	Melton	Register
Fine	King	Noonan	Shelby
Foshee	Lindsey	O'Bannon	Weaver
Givhan	Littleton	Owen	Wilder

—19

Nays:

Messrs.:	Carr	Edington	Horne
Bailes	Dominick	Hawkins	Vacca
Branyon	Dozier		

—9

Mr. Dozier then offered the following amendment to the substitute for the Bill, S. B. 214, to-wit:

AMENDMENT TO SUBSTITUTE FOR SENATE BILL 214

Amend Substitute to Senate Bill Number 214, Section 1 by deleting in Section 6.03, subsection (c) of the Judicial Article, the words "the court of criminal appeals" and substituting in lieu of the last three words "court of civil appeals."

On motion of Mr. O'Bannon, said amendment was laid on the table.

Mr. Dozier then offered the following amendment to the substitute for the Bill, S. B. 214, to-wit:

AMENDMENT TO SUBSTITUTE FOR SENATE BILL 214

Amend Substitute to Senate Bill Number 214, Section 1 by deleting in Section 6.09, subsection (d) of the Judicial Article, the next to the last sentence in its entirety and inserting in lieu thereof:

"The recommendations of the commission shall become law unless altered by act of the legislature at the session to which the report is submitted."

On motion of Mr. O'Bannon, said amendment was laid on the table.

And said substitute for the Bill, S. B. 214, was then adopted by the Senate.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Branyon	Clark	Dominick
Bailes	Carr	Cook	Dozier

Edington	Hawkins	Lybrand	Pierce	
Fine	Horne	McLain	Register	
Gilmore	Jones	Melton	Shelby	
Givhan	King	Noonan	Vacca	
Harris	Lindsey	O'Bannon	Wilder	

—27

Nays:

—0

And said Bill, S. B. 214, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Register	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilder	
Edington	King			

—25

Nays:

Messrs.:	Clark	Foshee	Littleton	
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POINT OF PERSONAL PRIVILEGE

Mr. Jones stated that, had he been present when the vote was taken on final passage of the Bill, S. B. 47, he would have voted "Aye".

RESOLUTION

Mr. Shelby offered the following Senate Joint Resolution, to-wit:

S. J. R. 99. CHANGING THE TUSCALOOSA STATE TRADE SCHOOL TO "GEORGE E. MANLEY STATE TRADE SCHOOL."

WHEREAS, George Edward Manley of Tuscaloosa has been instrumental in developing the vocational trade and industrial education program in Alabama and has been recognized as one of the top educators in this area; and

WHEREAS, Mr. Manley attended Birmingham public schools and received his professional engineering education at Auburn University and Colorado State College; and

WHEREAS, he pioneered an experimental class of vocational trade and industrial diversified occupations in 1935 at Cliff High School in Opelika, Alabama; and

WHEREAS, as a result of this experiment, most of the urban high schools in Alabama now offer this type of training to students 16 years of age and older; and

WHEREAS, in 1941, he was employed by the State Department of Education as Assistant State Supervisor and Assistant Professor of Vocational Trade and Industrial Education with offices at the University of Alabama; and

WHEREAS, he assisted in the organization and supervision of the War Manpower Training Program in Alabama during World War II; and

WHEREAS, he has worked with local school boards of education in helping to build, through the years, a strong vocational trade and industrial education program in Alabama; and

WHEREAS, Mr. Manley has been past President of the Alabama Vocational Association and the Alabama Vocational Trade and Industrial Educational Association; and

WHEREAS, he is presently writing a history of the Alabama vocational trade and industrial education program in Alabama; and

WHEREAS, through Mr. Manley's tireless efforts, thousands of Alabamians have been afforded vocational and industrial education opportunities previously unavailable; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that the Tuscaloosa State Trade School be hereby named and known as the "George E. Manley State Trade School".

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to George Edward and Mabel Manley.

Which was read and referred to the Standing Committee on Rules.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 145. To amend Title 52, Section 351, Code of Alabama, 1940, as amended, to provide that certificated employees of the Alabama Institute for Deaf and Blind, Alabama Industrial School for Boys, Alabama Industrial School for Girls, and Alabama Industrial School at Mt. Meigs shall be defined as teachers and shall be covered under the Alabama Teacher Tenure Law.

And said Bill, S. B. 145, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Melton
Bailes	Edington	Horne	Noonan
Baker	Fine	Jones	Pelham
Branyon	Foshee	King	Pierce
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Wilder
Dominick			

—28

Nays:

—0

The Bill:

S. 353. To revise existing bail practices in the courts of Alabama to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of Justice nor the public interest, to be known as the Alabama Bail Reform Act of 1973, and to amend certain sections of the Code of Alabama 1940 to conform with such revision.

was taken up.

Mr. Shelby offered the following substitute for the Bill, S. B. 353, to-wit:

SUBSTITUTE FOR S. B. 353

A BILL
TO BE ENTITLED
AN ACT

To revise existing bail practices in the courts of Alabama to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest, to be known as "The Alabama Bail Reform Act of 1973," prescribing means in addition to the giving of bail bonds by which a person charged with an offense may give security for appearance in order to secure his release and amending certain sections of the Code of Alabama 1940 to conform with such revision.

Be It Enacted by the Legislature of Alabama:

Section 1. a. Release in noncapital cases prior to trial.—Any person charged with an offense, other than an offense punishable by death, shall, at his appearance before a judicial officer, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the judicial officer shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

- (1) place the person in the custody of a designated person or organization agreeing to supervise him;
- (2) place restrictions on the travel, association, or place of abode of the person during the period of release;
- (3) require the execution of an appearance bond in a specified amount and the deposit in the registry of the court, in cash or other security as directed, of a sum not to exceed 10 per centum of the amount of the bond, such deposit to be returned upon the performance of the conditions of release;
- (4) impose any other condition, including a condition requiring that the person return to custody after specified hours of release for employment or other limited purposes.

b. Release in capital cases or after conviction.

(1) A person (a) who is charged with an offense punishable by death, or, (b) who has been convicted of an offense and is awaiting sentence, or (c) who has been convicted of an offense and sentenced for a term of confinement or imprisonment for a term not exceeding twenty years and has filed an appeal or petition for writ of certiorari, shall be treated in accordance with the provisions of sub-section a. unless the judicial officer has reason to believe that no one or more conditions of release will reasonably assure that the person will not flee or pose a danger to any other person or to the community. If such a risk of flight or danger is believed to exist, the person may be ordered detained.

(2) A person who has been convicted of an offense and sentenced to death or to a term of confinement or imprisonment for a term exceeding twenty years and has filed an appeal or a petition for a writ of certiorari shall be detained unless the judicial officer finds that (a) the person is not likely to flee or pose a danger to any other person or to the property of others, and (b) the appeal or petition for a writ of certiorari raises a substantial question of law or fact. Upon such findings, the judicial officer shall treat the person in accordance with the provisions of sub-section a.

c. Determination of conditions of release.—In determining which conditions of release will reasonably assure the appearance of a person as required and the safety of any other person or the community, the judicial officer shall, on the basis of available information, take into account such matters as the nature and circumstances of the offense charged, the weight of the evidence against the person, his family ties, employment, financial resources, character and mental condition, past conduct, length of residence in the community, record of convictions, and any record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

d. Order of release.—A judicial officer authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall advise such person that a warrant for his arrest will be issued immediately upon any violations of the conditions of his release.

e. Release after commitment.—If an accused has been committed to jail for failure to meet a condition imposed under Section 1. a., and he is able to meet the condition, it is the duty of the person having custody of the accused to discharge the accused. This section shall not have effect to prevent application for bail or for reduction of bail in any other manner provided by law.

f. Additional conditions.—A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release.

g. Delivery of warrant.—The judicial officer who has taken action under the provisions of this section must certify the same upon the warrant, and deliver such warrant to the officer who executed the warrant, who must cause the same to be delivered without unnecessary delay, to the clerk of the court in which the accused is required to appear.

h. Sanctions for violation of release conditions.

(1) A person who has been conditionally released pursuant to sub-section a. and who has violated a condition of release shall be subject to revocation of release.

(2) Proceedings for revocation of release may be initiated on motion of the district attorney. A warrant for the arrest of a person charged with violating a condition of release may be issued by a judicial officer and the person shall be brought before a judicial officer in the jurisdiction in which he is arrested. He shall then be transferred to the jurisdiction in which his arrest was ordered for proceedings in accordance with this section. No order of revocation shall be entered unless, after a hearing, the judicial officer finds that there is clear and convincing evidence that the person has violated a condition of his release.

i. Contempt.—Nothing in this act shall interfere with or prevent the exercise by any court of Alabama of its power to punish for contempt.

j. Judicial officer.—As used in and with regard to the provisions of this section the term “judicial officer” means, unless otherwise indicated, any officer authorized under the law to admit persons to bail or release.

k. Evidence.—Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

l. Forfeiture.—Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

m. Section cumulative.—The procedures prescribed in this section shall be cumulative and in addition to all other bail and release procedures provided by law.

Section 2. Continuation of Release.—Bail or release or the imposition of conditions on release shall continue to apply if the case of the accused is transferred to another court or another jurisdiction in Alabama, or if the case is transferred to another trial court on appeal or petition for writ of certiorari subject to the provisions of Code of Alabama 1940, Title 15, Section 206, and provided that the court before which the defendant is bound to appear may at any time amend such release under Section 1.a. of this act to impose additional or different conditions of release.

Section 3. Notice.—Upon the release of a person on bail or recognizance such person shall be given notice in writing of the time, date and place to appear for the trial or other hearing of the offense charged. The notice shall have written or printed thereon, in a prominent place and in a legible manner the penalty for a willful failure to appear as provided in Section 5 of this act.

Section 4. Credit for incarceration. a. The sentence of any person convicted of an offense shall run from the date of commencement of sentence. Any time spent by the prisoner in custody, in connection with the offense, prior to his conviction, shall be credited to the service of his sentence.

b. No sentence shall prescribe any other method of computing the term.

Section 5. Penalties for failure to appear.

a. Whoever, having been released on bail or recognizance or prior to commencement of sentence, willfully fails to appear before any court or judicial officer as required, shall incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, or while awaiting sentence or commencement of sentence or pending appeal or certiorari after conviction of any offense, be fined not more than \$5,000 or imprisoned for not more than five years, or both, or (2) if he was released in connection with a charge of misdemeanor, be fined not more than the maximum provided for such misdemeanor or imprisoned for not more than six months, or both.

b. Failure to appear after notice of the appearance data shall be prima facie evidence that the failure to appear is willful. Whether the person was warned when released of the penalties for failure to appear shall be a factor in determining whether the failure to appear was willful, but the giving of such warning shall not be a prerequisite to conviction under this section.

c. This section applies to a defendant even if he has not received actual notice of the appearance data if (1) reasonable efforts to notify the defendant have been made, and (2) the defendant, by his own actions, has frustrated the receipt of actual notice.

Section 6. Amendment of Code sections.—Code of Alabama 1940, Title 15, Sections 187, 200, 201, as amended, 195 and 372, are hereby amended to read as follows:

“Section 187. Prisoners entitled to opportunity to give bail.—All judges shall take care that every prisoner in jail shall have an opportunity to give bail, in cases in which the prisoner is entitled to bail, and may approve any bond presented to him at any time, which in his judgment is reasonably good.

“Section 200. Bail not in open court; forms and requisites of.—When not taken in open court, the undertaking of bail must be in writing, signed by the defendant, and at least one sufficient surety, and approved by the magistrate or officer taking the same; and may be substantially in the following form:

The State of Alabama
 _____ County

We, A. B. and C. D. agree to pay to the State of Alabama _____ dollars (the sum prescribed by the magistrate or officer) unless the said A. B. appears at the next session of the _____ court of _____ county, and from session to session thereafter until discharged by law, to answer a criminal prosecution for the offense of _____ (specifying the particular offense with which he is charged).

(Signed) A. B.
 C. D.

“Section 201. Qualifications of bail.—The qualifications of bail are, that each must be sufficiently solvent in the discretion of the court, magistrate or officer taking bail in the amount expressed in the undertaking, but the court, magistrate, or officer in taking bail may allow more than one person to justify severally as bail in amounts less than that expressed in the undertaking, provided the whole be equivalent to one sufficient bail; or the court, magistrate, or officer, in taking bail, in lieu of the foregoing, may allow a corporation, foreign or domestic, qualified to do a bonding business in this state, and authorized to execute the undertaking of bail, to execute such bail. Every person engaged in the business of making bail bonds and charging therefor, except corporations qualified to do a bonding business in this state, in addition to all other requirements of this section, shall be required to furnish a bond with corporate surety in the amount of twenty-five thousand dollars, (ten thousand dollars in Cullman County), to be approved by the probate judge of each county in which such person engages in such business, conditioned to guarantee the payment of all sums of money that may become due the state or any political subdivision thereof by virtue of any judgment absolute being rendered against said person on a forfeiture of bail. Only one such bond shall be required in each county where such person does business, and the liability of the surety company executing a bond hereunder shall not exceed the face amount of such surety bond provided, however, that the bond may be cancelled as to any future liability at any time by the surety giving thirty days written notice of such cancellation to the probate judge of the county in which the bond is filed.”

“Section 195. A defendant (1) who is charged with an offense punishable by death, or (2) who has been convicted of an offense and

is awaiting sentence, or (3) who has been convicted of an offense and sentenced for a term of confinement or imprisonment for a term not exceeding 20 years and has filed an appeal or petition for writ of certiorari, shall be subject to bail unless the court or magistrate has reason to believe that such bail will not reasonably assure that the defendant will not flee or pose a danger to any other person or to the community. If such risk of flight or danger is believed to exist, the defendant may not be admitted to bail.

"372. (3241) (6249) (4318) (4511) (4980) (4304) (753). In case of felony, judgment rendered and execution suspended pending appeal; bail on appeal.—When any question of law is reserved in case of a felony, and it shall be made known to the court that the defendant desires to take an appeal to the supreme court or to the court of appeals, judgment must be rendered against the defendant but execution thereof must be suspended pending the appeal. A defendant who has been convicted of an offense and sentenced to death or to a term of confinement or imprisonment for a term exceeding 20 years and has filed such an appeal or a petition for writ of certiorari, shall not be admitted to bail unless the court or magistrate finds that (1) the defendant is not likely to flee or pose a danger to any other person, the community or to the property of others, and (2) the appeal or petition for writ of certiorari raises a substantial question of law or fact."

Section 7. This Act shall not be applicable to either Jefferson or Mobile counties and shall not be effective therein.

Section 8. This Act shall be known and may be cited as "The Alabama Bail Reform Act of 1973."

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. McLain offered the following amendment to the substitute for the Bill, S. B. 353, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 353

Amend the Shelby Substitute for Senate Bill 353 by adding "or Madison" to Section 7 immediately following "Jefferson or Mobile".

Which was adopted.

Mr. Dominick then offered the following amendment to the substitute, as amended, for the Bill, S. B. 353, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED, FOR S. B. 353

Amend the Shelby Substitute, as amended, for S. B. 353 by deleting from Section 7 the words "either Jefferson or" and changing the word "counties" to read "county".

Mr. Bailes moved that said amendment be laid on the table, which motion was lost.

Yeas 8; Nays 13.

Yeas:

Messrs.:
Bailes
Cook

Givhan
Hawkins

Melton
Pelham

Vacca
Wilder

Nays:

Messrs.:	Fine	Lindsey	Shelby	
Branyon	Harris	Lybrand	Weaver	
Clark	Jones	Owen	Wilson	
Dominick	King			—13

The question was then on the amendment offered by Mr. Dominick to the substitute, as amended, for the Bill, S. B. 353.

The Bill:

S. 622. To further identify creditable years of service under the State Employees' Retirement System.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Baker	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier				—32

Nays:

—0

The Bill:

S. 860. To provide that all former Governors of the State of Alabama who shall have been partially or totally disabled while serving in that office shall receive monthly retirement pay out of the general fund in the state treasury.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Baker	Givhan	McLain	Shelby	
Branyon	Harris	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Edington	King			—29

Nays:

—0

The Bill:

S. 756. Relating to taxation; to amend Title 51, Section 2(1)(m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McJain	Vacca	
Clark	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen		—26

Nays: —0

RESOLUTION

Mr. Malone offered the following Senate Joint Resolution, to-wit:

S. J. R. 100. COMMENDING MISS GLADYS MARONA FOR A JOB WELL DONE.

WHEREAS, Miss Gladys Marona, who was responsible for the beginning of the school lunch program in Etowah County, recently retired from the Etowah County school system. She had been a member of the staff of the county school system continuously since 1926; and

WHEREAS, Miss Marona is most noted as a truant officer with a sincere feeling toward all children in Etowah County. She has done more for more children in Etowah County than any person in its history; and many times she has given clothes, shoes and other necessities to children in order that they may attend school; and

WHEREAS, she is a gracious and charming lady with a deep love for education. She has demonstrated a sensitivity toward her neighbors which is far above the average person's; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express our deep appreciation to a wonderful lady, Miss Gladys Marona, for the great job which she did for education and the children of Etowah County and that we wish her many happy hours of leisure during her retirement years.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Miss Gladys Marona.

Which was read and ordered to lay over on the Secretary's Desk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 253. To authorize the Director of Finance, the Director of the Alabama Development Office, the State Treasurer and the Executive Secretary to the Governor to become a public corporation for the purpose of acquiring land for, and erecting, constructing, maintaining, operating and leasing thereon, a products market, exhibition halls, buildings and other related structures and facilities in Jefferson County, Alabama, where products and goods may be displayed to encourage the buying and selling of such products and goods, to encourage the expansion of existing industries in Alabama, to encourage the location of new industries in Alabama and to foster and encourage the growth of the general economy of Alabama; to provide the procedure for incorporation and to designate the members, directors and officers of the Authority; to provide for the establishment in Jefferson County, Alabama,

of a products market to be known as the Southern Products Mart Authority; to prescribe the power of the Authority, including the power to acquire real estate and to acquire, erect, construct, insure, maintain, manage, operate and lease thereon, facilities, buildings, warehouses, storage facilities, exhibition halls, parking areas and other structures and appurtenances of every kind and character used or useful by the Authority for its purposes, to exercise the power of eminent domain, and the power to sell and issue not exceeding twenty million dollars principal amount of bonds for such purposes; to specify certain provisions to be contained in the bonds and the execution and sale of such bonds; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues, receipts and income of the Authority and shall not create an obligation or debt of the State or any political subdivision thereof other than the Authority; to provide that any bonds issued by the Authority may be used as security for the deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to specify the application of the revenues, receipts and income of the Authority; to provide for the construction and equipment of the buildings and facilities of the Authority; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues, receipts and income from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues, receipts and income which filing will constitute notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to or by any person as defined in the act, including the state or any political subdivision thereof, any agency or board of the state, any municipality or body politic, of space for occupancy on the premises or in the buildings or other structures of the Authority; to provide for the audit of books and accounts of the Authority; to provide for competitive bidding on construction contracts; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide for and limit remedies in the event of any default; to provide for dissolution of said Authority and conveyance of its assets and properties to the state upon payment of said bonds; to provide that the provisions of this act shall be severable; and to provide for a date upon which this act shall become effective.

was taken up.

Mr. Bailes requested and received unanimous consent to have the name Mr. Cook added above his, Mr. Bailes' name, as sponsor of the Bill, S. B. 253.

Mr. Cook offered the following amendment to the Bill, S. B. 253, to-wit:

AMENDMENT TO SENATE BILL 253

Amend Senate Bill 253 by adding the following as subparagraph (s) at the end of Section 4:

"(s) Notwithstanding any provision to the contrary, nothing herein shall be construed to authorize the acquisition by eminent domain of

any real property or right owned or held by railroads or utilities, both public and private."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Dozier	Lindsey	Register	
Baker	Edington	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Hawkins	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Cook				—24

Nays:

—0

Mr. Fine offered the following amendment to the Bill, S. B. 253, as amended, to-wit:

AMENDMENT TO S. B. 253, AS AMENDED

Amend Section 4 (f) in S. B. 253 by striking therefrom the following word in the first line of said section "condemnation". Also, strike Section 4 (h) in its entirety.

Mr. Cook moved that said amendment be laid on the table, which resulted in a tie vote.

Yeas 13; Nays 13.

Yeas:

Messrs.:	Cook	King	Shelby	
Bailes	Dominick	Lybrand	Vacca	
Carr	Gilmore	Pelham	Wilder	
Clark	Hawkins			—13

Nays:

Messrs.:	Foshee	Melton	Register	
Baker	Lindsey	Owen	Weaver	
Branyon	Littleton	Pierce	Wilson	
Fine	McLain			—13

The President and Presiding Officer voted "Nay"; therefore, the motion to table was lost.

And said amendment offered by Mr. Fine to the Bill, S. B. 253, as amended, was then lost.

Yeas 7; Nays 15.

Yeas:

Messrs.:	Dozier	Foshee	McLain	
Branyon	Fine	Littleton	Register	
				—7

Nays:

Messrs.:	Cook	Lindsey	Pierce	
Bailes	Dominick	Lybrand	Vacca	
Carr	Gilmore	Melton	Wilder	
Clark	Hawkins	Pelham	Wilson	
				—15

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 66

S. B. 342

S. B. 400

S. B. 131

S. B. 173

S. B. 236

S. B. 503

S. B. 504

S. B. 511

S. B. 524

S. B. 529

S. B. 533

S. B. 534

S. B. 541

S. B. 553

S. B. 588

S. B. 589

S. B. 590

S. B. 604

S. B. 618

S. B. 627

S. B. 628

S. B. 630

S. B. 635

S. B. 645

S. B. 646

S. B. 648

S. B. 649

S. B. 650

S. B. 651

S. B. 659

S. B. 660

S. B. 661

S. B. 663

S. B. 665

S. B. 696

S. B. 699

S. B. 714

S. B. 744

S. B. 765

Delivered to the Governor, August 16, 1973, at 3:00 P. M.

S. B. 468

Delivered to the Secretary of State, August 16, 1973, at 4:25 P. M.

S. J. R. 82

S. B. 394

S. B. 442

S. B. 535

S. B. 539

S. B. 605

S. B. 606

S. B. 667

S. B. 715

Delivered to the Governor, August 16, 1973, at 5.00 P. M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 5 o'clock P. M., on motion of Mr. Bailes, and pending further consideration of S. B.'s 336 and 253, the Senate adjourned until Thursday, August 23, 1973, at 8:30 A. M.

THIRTY-SECOND LEGISLATIVE DAY

THURSDAY, AUGUST 23, 1973

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Honorable L. D. Owen, 25th Senatorial District.

ROLL CALL

Present:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Vacca, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-First Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Thirty-First Legislative Day was approved by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 1. To establish a state ethics commission and to provide a state ethics law which requires that certain statements of economic interest

be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony. Also relating to the activities, registration, and reporting requirements of persons engaged in activities designed to influence legislation.

JAMES S. CLARK,
Chairman.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 149. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bailes (By Request):

S. 944. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Vestavia Hills, Jefferson County, Alabama.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To add to the land limits of the City of Vestavia Hills in Jefferson County, Alabama, by removing certain area now part of Jefferson County, Alabama, and adding same to the land limits of the City of Vestavia Hills, and to describe the area so removed from Jefferson County, Alabama, and so added to the City of Vestavia Hills.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Vestavia Hills in Jefferson County, Alabama, are altered, rearranged and extended to include within the corporate limits of said City the parcel of land hereinafter described, and the boundaries of Jefferson County, Alabama, are altered

and rearranged to exclude from said County's jurisdiction and control the said parcel described as follows:

A portion of property embraced in a Survey of Waldrige Terrace, situated in Sections 30 and 31, Township 18 South, Range 2 West, Jefferson County, Alabama, as recorded in Map Book 14, Page 33, in the Office of the Judge of Probate of Jefferson County, Alabama, and being more particularly described as follows:

PARCEL 1: Begin at the NW corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, and run in an easterly direction along the northerly line of said SW $\frac{1}{4}$ or SW $\frac{1}{4}$ to the NE corner of Lot 26, in Block 3, according to said Survey of Waldrige Terrace; thence in a southerly direction along the westerly line of Lots 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, in said Block 3, to the SW corner of said Lot 16, thence in an easterly direction along the southerly line of said Lot 16 and the prolongation thereof to the SW corner of Lot 4, in Block 5, of said survey; thence in a southerly direction along the westerly line of Lots 5 and 6, in said Block 5, to the SW corner of said Lot 6; thence in an easterly direction along the northerly line of Merryvale Road (formerly Washington Avenue) to the Old Montgomery Highway, in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 30; thence in a southwesterly and southeasterly direction along the Old Montgomery Highway to the intersection of said Old Montgomery Highway and Rose Avenue, in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West; thence in a southwesterly direction along the southeasterly line of Lot 11, in Block 13, of said survey, to the SW corner of said Lot 11; thence in a northwesterly direction along the southwesterly line of lots 11, 10, 9, 8, 7, 6, 5, and 4, in said Block 13, to Malibu Place (formerly Pine Street); thence in a northerly direction along Malibu Place to the SE corner of Lot 20, in Block 11, of said survey; thence in a westerly direction along the southerly line of said Lot 20 to the SW corner of same; thence in a northerly direction along the easterly line of Lots 20, 21, 22, 23, and 24, in said Block 11, to Pearl Avenue; thence in a westerly direction along Pearl Avenue to the westerly line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West; thence in a northerly direction along the westerly line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 31 and the westerly line of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, to the SW corner of Lot 4, in Block 9, of said survey; thence in an easterly direction along the southerly line of Lot 4, in said Block 9, and the southerly line of Lot 4, in Block 8, of said survey, to the SE corner of Lot 4, in said Block 8; thence in a northerly direction along the easterly line of Lots 4, 3, 2 and 1, in said Block 8, to Merryvale Road; thence in an easterly direction along Merryvale Road to the SE corner of Lot 14, in Block 2, of said survey; thence in a northerly direction along the easterly line of Lots 14, 15, 16, in said Block 2, to the NE corner of said Lot 16; thence in a westerly direction along the northerly line of said Lot 16 to the NW corner of same; thence in a northerly direction along the easterly line of Lots 10, 9, 8, 7, 6, 5, 4 and 3, in Block 2, of said survey, to the NE corner of said Lot 3; thence in a westerly direction along the northerly line of said Lot 3 to Post Oak Road (formerly Walnut Street); thence in a southerly direction along Post Oak Road to the SE corner of Lot 8 in Block 1, of said survey; thence in a westerly direction along the southerly line of said Lot 8 to the westerly line of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West; thence in a northerly direction along the westerly line of said SW $\frac{1}{4}$ or SW $\frac{1}{4}$ to the point of beginning.

PARCEL 2: A portion of Block 4, according to a Survey of Waldrige Terrace, lying in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, Jefferson County, Alabama, as recorded in Map

Book 14, Page 33, in the Office of the Judge of Probate of Jefferson County, Alabama, and being more particularly described as follows:

Begin at a point on the northerly line of Lot 13, in Block 4, according to said survey, said point being 105 feet west of the Old Montgomery Highway; thence run in a southerly direction along a line 105 feet from and parallel to the Old Montgomery Highway a distance of 390 feet to a point on Lot 7, in Block 4, of said survey; thence in an easterly direction to said Old Montgomery Highway; thence in a northerly direction along said Old Montgomery Highway to the northerly line of Lot 13, in said Block 4; thence in a westerly direction along the northerly line of said Lot 13 to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 3rd day of August A. D. one-thousand nine hundred and 73 personally appeared before me, a Notary Public in and for the County and State aforesaid Arthur P. Cook who being duly sworn according to law, declares that he is President of Sun Papers Inc. a newspaper published in the City of Homewood, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, will appear in The Shades Valley Sun on the following dates: August 1, 1973; August 8, 1973; August 15, 1973; August 22, 1973.

ARTHUR P. COOK.

Subscribed and sworn to before me this 3rd day of August A. D. 1973.

CHARLES E. DEAN,
Notary Public.

By Mr. Pierce:

S. 945. To amend the title, Sections 1, 4 and 8 of Act No. 14, H. B. 5, Special Session 1969, (Acts 1969, p. 28), which Act establishes the Alabama Commission of Higher Education for the general purpose of promoting an educational system in this state that will provide the highest possible quality of collegiate and university education in this state, so as to change the title of said Commission on Higher Education; to provide that upon the authorization of the Commission professional and administrative staff employees shall be eligible to participate in certain retirement and annuity programs and to further expand the powers and duties of the Commission by designating it as the State-wide planning agency for tax-supported post-secondary education in this state and therefore the state's agency for all federally funded programs which require a central state planning and administering agency.

Committee on Education.

By Mr. Littleton:

S. 946. Relating to counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; providing for the appointment of inspectors and personnel which assist in the enforcement of privilege licenses or excise taxes levied upon sellers(distributors, storers, wholesalers or users of malt or brewed beverages within such counties.

Committee on Local Legislation No. 1.

By Mr. Weaver:

S. 947. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the charging of certain fees relating to certain offices in these counties.

Committee on Local Legislation No. 1.

REPORTS OF COMMITTEES

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills, and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hardin (With Amendment):

H. 1699. To amend Sections 3, 6, 8, 9 and 10 of Act No. 2440, Acts of Alabama, 1971 Regular Session, entitled an act "To authorize the State of Alabama, Department of Conservation, Division of State Parks, Monuments and Historical Sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts", so as to delete the requirement that Lake Guntersville State Park be operated by the State the first three years; and to authorize negotiation of concession contracts under certain conditions; and to make certain term changes in the bonds required of concession contractors, the term of concession contracts, and the right of the Commissioner to terminate.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ellis, et al:

H. 1623. To amend Title 8, Section 60, Code of Alabama 1940, as amended, so as to include the rainbow trout as a designated game fish.

By Messrs. Kinsey and Benton:

H. 1594. To further amend Section 8 of Act No. 344, H. 301, 1955 Regular Session of the Alabama Legislature (Acts of 1955, p. 780), as amended, which Act relates to the Fort Morgan Historical Commission, so as to provide further for the expenditure of certain funds received by said commission.

By Mr. Lyons:

H. 1678. To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report,

with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lutz and Grainger (With Amendment):

H. 224. Providing further for the conservation of the natural resources of the State; designating the caves and caverns of the State and the flora, fauna, mineral formations and deposits therein and other contents thereof as natural resources, worthy of preservation, protection and development for scenic, scientific, business and commercial purposes; regulating through licensure the use of such caves and their contents for business and commercial purposes; protecting the rights of property owners and the general public in caves; requiring cave owners to install and keep in repair certain equipment and abide by safety regulations, prescribed by the director of public safety, when caves are opened to the public; to provide for safety inspections of caves; to establish the State Speleological Committee; to provide for the dissemination of information about Alabama caves to the owners thereof and to the public; to designate certain acts relative to caves and their contents as criminal offenses and to prescribe penalties therefor.

Mr. Cook, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Edington:

S. 939. To authorize and make provisions for the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such municipality within which any such Authority proposes to furnish any such service; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the municipality by which its incorporation was authorized; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session) as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or

more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which sum securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

By Mr. Waggoner, et al:

H. 285. To authorize each of the municipalities in this State to provide buildings and other facilities for lease to and use by one or more regional, national or international association or organization, one or more of the purposes or objects of which shall consist of one or more of the following: the promotion of patriotism or good citizenship, the development of civic pride or consciousness, the improvement of trade, business, professional or economic conditions, or the promotion of health, safety, conservation, community beautification, or community welfare, and the membership of which regional, national or international association or organization shall include (1) persons, firms or corporations residing or domiciled in not less than twelve of the states of the United States, including at least two such members residing or domiciled in the State of Alabama, or (2) local organizations or clubs with like objects or purposes situated in not less than twelve of the

states of the United States, including at least two such organizations or clubs situated in the State of Alabama; to authorize municipalities to acquire one or more projects consisting of buildings for the supplying of offices, storage and related facilities to such regional, national or international organizations, together with any lands or interests therein deemed desirable in connection therewith, to improve, enlarge, expand, equip, furnish, insure and maintain one or more such projects, to lease such properties subject to certain specified requirements, to finance the cost of such acquisition, improvement, enlargement, expansion, equipment and furnishing by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties and to enter into contracts and agreements and to do all acts necessary for or incidental to the performance of the duties and the execution of the powers of a municipality under said Act; to provide that such bonds shall not be subject to the laws of the State of Alabama governing usury; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the Act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder and any deeds or other documents whereby properties are acquired by a municipality under the Act; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that the provisions of Act No. 217 of the 1967 Special Session of the Legislature which relate to competitive bidding shall not be applicable to any contracts made by municipalities under the Act; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Malone:

S. 896. Requiring immunization of children against or testing for certain diseases designated by the State Board of Health and requiring proof of immunization or testing prior to entry of children into school.

By Messrs. Pelham and Wilson:

S. 899. To amend Section XII of Act No. 399, 1969 Acts of Alabama (page 783) entitled "An act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining, to provide for permit fees, bonds and conditions for forfeiture thereof, to set up a Surface Mining and Reclamation Fund for administration of Act."

By Mr. King:

H. 129. To provide a formula for the allocation of the legislatively appropriated state funds for Community Mental Health Programs disbursed by the Alabama Mental Health Board.

By Mr. Ellis:

H. 189. Relating to emergency medical services in hospitals; authorizing the state board of health to establish, promulgate and enforce rules, regulations and minimum standards for the operation of emergency departments in hospitals of this state and to provide for the categorization of hospitals according to the capabilities of such departments; requiring the state highway department to denote on all official highway maps and by the erection of highway markers the location of certain designated hospitals.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Crowe, et al (With Amendments):

H. 1591. To establish a system of regulation and control of coal surface mining and reclamation, a declaration of public policy and legislative intent, the creation and establishing of the Alabama Surface Mining and Reclamation Commission with powers and authority, establishes necessity of licenses and permits with a right to surface mine and proper application therefor, requires a conservation and reclamation plan and map, and blasting regulations, sets application fees, bond of operator, sufficiency of surety, cancellation by surety and suspension of operator's permit, provides for confidentiality of certain records, violations, administrative procedures, appeals from orders of the Commission, legal remedies, enforcement proceedings, nonapplicability and penalties, establishes the Alabama Surface Mining and Reclamation Fund, provides for citizens' suits, saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeal of the Surface Mining Act of 1969 (Act 399 Regular Session) as to regulation of coal surface mining only.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Waggoner, Timmons and Wallace:

H. 1675. To amend further Act No. 78, S. 72 of the Special Session of 1961, which regulates the teaching and practice of cosmetology so as to change the number of hours required for beauty school students, providing that students in beauty schools may work in beauty shops under certain conditions, changing the time a managing cosmetologist is required to work from 2 years to 1 year, changing the limitation on the number of days of compensation payable to members of the cosmetology board, facilitating appeal of decisions of the board without the necessity of trial de novo.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hobbie, et al:

H. 790. To amend further Act No. 999, H. 288, of the Regular Session 1969 (Acts 1969, p. 1855), as amended, which act creates the Alabama Peace Officers Retirement System, amending sections 3, 8, 10,

11, and 14 thereof; so as to provide for increased compensation to board members; to modify the provisions for eligibility and monthly charges as relates to the membership in the retirement fund; and to make various modifications relating to retirement benefits, disability payments, and refunds pursuant to such retirement fund.

By Mr. Gafford, et al:

H. 856. To define the crime of looting and provide penalties for the commission thereof.

By Mr. Jones (F):

H. 48. To provide that all guards employed by the State in the Capitol area complex shall be granted the power and authority of deputy sheriffs and state law enforcement officers to enforce the laws of this State and to provide further that they shall be deemed "peace officers" under provisions of Act No. 999 of the Regular Session of the Alabama Legislature, 1969 (Alabama Peace Officers' Annuity and Benefit Fund Act).

By Messrs. Stokes, Roberts, Wood, Downing, Callahan and Lyons:

H. 1248. To supplement Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as heretofore amended, so as to provide a comprehensive system of law applicable to any corporation organized pursuant to the said Act, the service area of which includes a resort area and which has obtained the express approval of the governing body of each county in which it carries on its operations to exercise the powers conferred hereby; to permit such a corporation to construct improvements consisting of sanitary sewers and sewer facilities in resort areas located within its service area which are outside the corporate limits of any municipality and within the service area of such corporation; to provide a method for the assessment of the cost of any such improvements against the property abutting on, or drained, served, or benefited by such improvements; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such lists; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide

for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

By Mr. Casey:

H. 1150. To empower and authorize each corporation organized under the Alabama Non Profit Corporation Act (Acts of 1955, p. 1254, approved September 12, 1955) as amended, and each other corporation not of a business character organized under, or created by, any statute of the State of Alabama, to guarantee or stand surety for the obligations of another non profit corporation if the articles of incorporation of such corporation grant such power to it.

By Mr. Snell:

H. 312. To amend Code of Alabama 1940, Title 7, Section 1035, relating to civil remedies and procedure, so as to provide for garnishment of certain salaries after final judgment in cases of child support.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mrs. Wynot (With Substitute):

H. 120. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended, to provide for the addition of one member of the Alabama Retired Teachers Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jones (E), Boles, Falkenburg, Doss, McBride and Ellis:

H. 144. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

By Mr. Flippo:

H. 805. To amend Section 402 of Title 51, Code of Alabama of 1940, so as to provide for the deduction of certain dividends received by domestic and foreign corporations.

By Mr. Mathews:

H. 1023. To further identify creditable years of service under the Employees' Retirement System of Alabama, and Teachers' Retirement System of Alabama.

By Messrs. Owens and Lyons:

H. 1315. To amend Section 343 of Title 55, Code of Alabama 1940, Recompiled 1958, as amended, to provide for an increase in the awarding authority of the State Board of Adjustment.

By Mr. Benton:

H. 1652. Relating to the Twenty-eighth Judicial Circuit; providing for an additional circuit judge in such circuit.

By Mr. Mims, et al:

H. 711. Further regulating deductions from penitentiary and hard labor sentences for good behavior; Amending Section 1 of Act No. 534, S. B. 353, Regular Session 1943, (Acts 1943, p. 508), and repealing Act No. 481, H. B. 552, Regular Session 1953, (Acts 1953, p. 600).

By Mr. Casey, et al:

H. 421. To fix the annual compensation of the chief justice of the supreme court, associate justices of the supreme court, judges of the courts of appeal, and circuit court judges.

By Mr. Falkenburg, et al:

H. 569. To provide for the appointment, duties and compensation of four additional Deputy District Attorneys in judicial circuits composed of one county having a population of 600,000 or more according to the last or any subsequent federal decennial census and to provide when said Act shall go into effect.

By Messrs. Lutz, Grainger, King and McMillan:

H. 886. To provide for privileged communications with clergymen.

By Messrs. Merrill and Stewart:

H. 700. To provide that a retired member of the State Employees' Retirement System may earn up to \$4,800 from any source without affecting their retirement pay.

By Messrs. Merrill, Stewart and Bank:

H. 804. To provide that a retired member of the Teachers' Retirement System of Alabama may earn up to \$4,800 from any source without affecting their retirement pay.

By Mr. Robertson, et al:

H. 1304. To provide for a sentence of death or life imprisonment without parole in certain aggravated offenses; to prescribe the manner of charging and sentencing in such cases and to eliminate lesser included offenses in such cases; to limit the maximum punishment in all other cases to life imprisonment; to provide for an effective date of this act.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Foshee (With Substitute):

S. 617. Provides method of summoning witness in this State to testify in another State; method of summoning witness in another State to testify in this State; and provides certain exemptions to such persons under such process.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carr:

S. 884. Relating to the thirtieth judicial circuit; providing for additional circuit court judge in such circuit.

By Messrs. Bailes and Dominick:

S. 631. To establish a state ethics commission and to provide a state ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony.

By Mr. Bailes:

S. 279. To amend Section 6, Act No. 160, Third Special Session 1971, approved January 19, 1972, providing for the manner and method by which statewide property reappraisal shall be carried out and employment of appraisal firms as consultants.

By Mr. Bailes (By Request):

S. 122. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stewart (With Substitute) (With Amendment):

H. 18. To amend the "Mini Code," Act No. 2052, S. B. 122 of the Regular Session of 1971, approved October 1, 1971, in relation to the maximum finance charge for any loan or forbearance and for any credit sale so as to reduce the maximum rate of the interest permissible under such law.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Barron and Jones (F):

H. 1284. To provide for the uniform minimum compensation for all deputy sheriffs in every county in the State of Alabama.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in

Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fite, et al (With Substitute) (With Amendments):

H. 1345. To authorize Alabama Public School and College Authority to sell and issue one hundred twenty million dollars (\$120,000,000) aggregate principal amount of additional bonds for capital improvements for public educational purposes; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cottingham and Turner:

H. 167. Relating to elections and voting in them; providing for the use of electronic voting systems in elections; providing the requirements for these systems; providing that procedures to be used in connection with elections in which these systems are used, including additional procedures for dividing precincts and designating voting places therein; providing election officers for such polling places and prescribing duties and compensation of such election officials.

By Mr. Downing:

H. 1401. To amend Act Number 755 of the Regular Session of the Legislature of 1967 as amended by Act 1943 of the 1971 Regular Session of the Legislature relating to Supernumerary Tax Assessors, Collectors, License Commissioners and other officials by changing their requirements, qualifications and compensation.

By Messrs. McCorquodale and Lyons:

H. 1137. To amend Section 1 of Act No. 648, S. 518, Regular Session 1949, Acts 1949, p. 991, as amended.

By Mr. Culver, et al:

H. 1796. Relating to taxation; providing an additional personal exemption for individual income taxpayers who are blind.

By Mr. Robertson:

H. 1435. To amend Title 51, Section 2 (f), Code of Alabama 1940, as amended, which relates to exemptions to the state ad valorem tax, so as to provide an exemption for surviving spouses of blind persons.

By Messrs. Flippo and Hill:

H. 216. To provide for transfer of certain members of the Employees' Retirement System of Alabama under Section 12 of Act 515 of 1945 Act as amended who are otherwise eligible to become members of the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature.

By Messrs. Headley and Smith (P):

H. 985. To amend further Title 51, Section 21, Alabama Code 1940, by further exempting from taxation any tree, bush, vine or other growing thing from which a crop is harvested.

By Mr. Burgess, et al:

H. 315. To provide that medical services furnished needy persons under any State and/or Federal laws or plans shall include such services performed by Chiropractors.

By Messrs. O'Daniel, Robertson, Downing, Waggoner, Cottingham and Culver:

H. 1484. To provide a division of accounts, insurance and registration within the Public Service Commission; to provide for the chief of such division and provide for his salary.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Drake, St. John and McDonald:

H. 2075. To provide for the payment of expense allowances to members of the Board of Registrars, Jury Commission, and Board of Equalization of any county having a population of not less than 50,000 nor more than 52,500 according to the last federal decennial census.

By Messrs. Crowe and Naramore:

H. 2072. Applicable to any county having a population of not less than 55,500 nor more than 56,500 according to the last federal decennial census; to provide an additional compensation for the members of the board of registrars of such county.

By Mr. Crowe:

H. 2050. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

By Mr. Wilson:

S. 938. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing

in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and members thereof.

By Messrs. Connell and Crawford (with notice and proof):

H. 1893. Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

By Messrs. Connell and Crawford (with notice and proof):

H. 1894. Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

By Mr. Fite (with notice and proof):

H. 2022. Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

By Messrs. Manley and Pruitt (with notice and proof):

H. 2040. To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

By Mr. Cottingham:

H. 1920. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

By Messrs. Turner and Cottingham:

H. 1874. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

By Messrs. Stokes, Nettles, Downing and Callahan:

H. 442. To further amend Section 2 of Act No. 287, H. 193, First Special Session 1965 (Acts 1965, p. 395), which section relates to the compensation of members of the board of commissioners in cities having populations of not less than 175,000 nor more than 275,000 inhabitants, according to the last federal decennial census, so as to increase the compensation of said members.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Therrell (With Amendment):

H. 1526. Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen (with notice and proof):

S. 933. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

By Mr. Shelby (with notice and proof):

S. 940. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

By Mr. Carr:

S. 943. Relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

By Mr. Coshatt (with notice and proof):

H. 960. Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provisions of the act; to provide for the refinancing or retirement of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

By Mr. Robertson (with notice and proof):

H. 1196. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the

corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Adams, Hearn and Snell:

H. 286. To provide subsistence allowances for law enforcement officers while on duty and to authorize expenditure of funds for that purpose.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McDonald, St. John and Drake:

H. 2044. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials.

By Messrs. McDonald, St. John and Drake (with notice and proof):

H. 2065. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

By Mr. Owens (with notice and proof):

H. 1876. To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: To provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

By Messrs. Turner and Cottingham (with notice and proof):

H. 2064. To permit the Court of County Commissioners, or any similar or successor governing body of Dallas County to supplement, from County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

By Messrs. Turner and Cottingham:

H. 2046. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize such county to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

By Messrs. Turner and Cottingham:

H. 2047. Amending Section 3 of Act No. 729, H. 598, Regular Session 1953 (Acts 1953, p. 985) which provides airport zoning regulations, so as to exclude counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owens (with notice and proof) (With Substitute):

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Grainger, King, Hearn, Lutz and Hale (with notice and proof):

H. 2060. To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

By Messrs. Noonan and Pelham:

S. 942. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to provide that Act No. 1127, S. 477, 1969 Regular Session (Acts 1969, p. 2089) which relates to the disposal of sewage and the installation and inspection of certain plumbing facilities shall not apply to such counties.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1955. To repeal Act No. 232, H. 253, Third Special Session 1971, (Acts 1971, p. 4501), entitled, "An Act Relating to Solicitor's or District

Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census."

By Messrs. Lutz, Grainger, Hale, King and Hearn (with notice and proof):

H. 1956. Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 1957. To repeal Act No. 2314, S. 1086, Regular Session 1971, (Acts 1971, p. 3737), entitled, "An Act To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census."

By Messrs. Lutz, Hearn, Grainger, Hale and King (with notice and proof):

H. 1958. Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

By Messrs. Lutz, King, Hearn, Grainger and Hale:

H. 1959. To repeal Act No. 896, H. 1594, Regular Session 1971, (Acts 1971, p. 1660), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations."

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 1960. To repeal Act No. 1306, H. 2094, Regular Session 1971, (Acts 1971, p. 2251), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent federal decennial census, to create a Planning Commission having certain powers, duties and regulations."

By Messrs. Lutz, King, Grainger, Hearn and Hale (with notice and proof):

H. 1961. Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1962. To repeal Act No. 1331, H. B. 2119, Regular Session 1971, (Acts 1971, p. 2280), entitled "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1963. To repeal Act No. 1477, S. B. 1013, Regular Session 1971, (Acts 1971, p. 2534), entitled, "An Act To apply only in counties

having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

By Messrs. Lutz, King, Hale, Grainger and Hearn (with notice and proof):

H. 1964. Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 1965. To repeal Act No. 126, H. B. 393, Regular Session 1971, (Acts 1971, p. 404) entitled, "An Act To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000."

By Messrs. Lutz, Hale, King, Grainger and Hearn (with notice and proof):

H. 1966. Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

By Messrs. Lutz, Grainger, King, Hale and Hearn:

H. 1967. To repeal Act No. 1450, S. B. 971, Regular Session 1971, (Acts 1971, p. 2478), entitled "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy."

By Messrs. Lutz, King, Hale, Hearn and Grainger (with notice and proof):

H. 1968. Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1969. To repeal Act No. 1392, H. 2307, Regular Session 1971, (Acts 1971, p. 2349), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1970. To repeal Act No. 1488, S. 1083, Regular Session 1971, (Acts 1971, p. 2553), entitled, "An Act Creating and establishing a

county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1971. To repeal Act No. 202, S. 133, Third Special Session 1971, (Acts 1971, p. 4468), entitled, "An Act To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof."

By Messrs. Lutz, Hearn, Hale, Grainger and King (with notice and proof):

H. 1972. Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1973. To repeal Act No. 1391, H. 2306, Regular Session 1971 (Acts 1971, p. 2571), entitled "An Act Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such boards; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1974. To repeal Act No. 1329, H. 2117, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000 according to the 1960 or any subsequent federal decennial census."

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1975. To repeal Act No. 1478, S. 1015, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census."

By Messrs. Lutz, Hearn, Hale, Grainger and King (with notice and proof):

H. 1976. Relating to Madison County; providing further for the compensation of election officials.

By Messrs. Lutz, Hale, Grainger, Hearn and King:

H. 1977. To repeal Act No. 895, H. B. 1593, Regular Session 1971, (Acts 1971, p. 1659), entitled "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any such municipalities."

By Messrs. Lutz, King, Grainger and Hearn (with notice and proof):

H. 1954. Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

By Messrs. Lutz, King, Hearn, Grainger and Hale:

H. 1953. To repeal Act No. 1509, S. 1025, Regular Session 1971, (Acts 1971, p. 2594), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

By Messrs. Lutz, Grainger, Hearn, King and Hale:

H. 1952. To repeal Act No. 1328, H. 2116, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 1951. To repeal Act No. 1330, H. 2118, Regular Session 1971, (Acts 1971, p. 2279), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties."

By Messrs. Lutz, Hearn, King, Hale and Grainger (with notice and proof):

H. 1950. Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 1949. To repeal Act No. 323, H. 416, Third Special Session 1971, (Acts 1971, p. 4612), entitled, "An Act Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census."

By Messrs. Lutz, Hearn, King, Hale and Grainger (with notice and proof):

H. 1948. Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

By Messrs. Lutz, Hearn, Grainger, Hale and King:

H. 1947. To repeal Act No. 234, H. 255, Third Special Session 1971 (Acts 1971, p. 4504), entitled, "An Act To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1946. To repeal Act No. 884, H. B. 1241, Regular Session 1969, (Acts 1969, v. 2, p. 1590), entitled, "An Act Relating to counties having populations of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 1945. To repeal Act No. 1481, S. 1024, Regular Session 1971, (Acts 1971, p. 2537), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

By Messrs. Lutz, Grainger, Hale, King and Hearn:

H. 1944. To repeal Act No. 1325, H. 2110, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

By Messrs. Lutz, Hale, Grainger, King and Hearn (with notice and proof):

H. 1943. Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1942. To repeal Act No. 1321, H. 2105, Regular Session 1971, (Acts 1971, p. 2272), entitled, "An Act Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census."

By Messrs. Lutz, Hearn, Hale, Grainger and King (with notice and proof):

H. 1941. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1926. To repeal Act No. 2190, H. B. 2769, Regular Session 1971, (Acts 1971, p. 3504), entitled "An Act relating to all counties having a population of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws."

By Messrs. Lutz, Grainger, King, Hearn and Hale (with notice and proof):

H. 1927. Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1928. To repeal Act No. 2282, S. 1220, Regular Session 1971, (Acts 1971, p. 3683), entitled "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1929. To repeal Act No. 2189, H. 2768, Regular Session 1971, (Acts 1971, p. 3503), entitled, "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

By Messrs. Lutz, Grainger, King, Hearn and Hale (with notice and proof):

H. 1930. Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1931. To repeal Act No. 1199, H. 2111, Regular Session 1971, (Acts 1971, p. 2078), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations."

By Messrs. Grainger, Lutz, King, Hearn and Hale (with notice and proof):

H. 1932. Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1933. To repeal Act No. 1479, S. 1019, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles in such counties and cities."

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1934. To repeal Act No. 1333, H. 2121, Regular Session 1971, (Acts 1971, p. 2282), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

By Messrs. Lutz, King, Hearn, Hale and Grainger (with notice and proof):

H. 1935. Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1936. To repeal Act No. 1327, H. B. 2115, Regular Session 1971, (Acts 1971, p. 2277), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1937. To repeal Act No. 1884, S. B. 1021, Regular Session 1971, (Act 1971, p. 3068), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks, which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

By Messrs. Lutz, Hearn, Hale, Grainger and King (with notice and proof):

H. 1938. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county

all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1939. To repeal Act. No. 1389, H. 2304, Regular Session 1971, (Acts 1971, p. 2340), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1940. To repeal Act No. 1492, S. 1088, Regular Session 1971, (Acts 1971, p. 2570), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

By Messrs. Lutz, Hearn, King, Grainger and Hale (with notice and proof):

H. 2021. Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2003. To repeal Act No. 2225, H. 2689, Regular Session 1971 (Acts 1971, p. 3579), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

By Messrs. Lutz, King, Hearn, Hale and Grainger (with notice and proof):

H. 2004. Relating to Madison County; regulating the costs and fees in the county courts.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2005. To repeal Act No. 1390, H. B. 2305, Regular Session 1971, (Acts 1971, p. 2559), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

By Messrs. Lutz, King, Hale, Hearn and Grainger:

H. 2006. To repeal Act No. 1489, S. B. 1084, Regular Session 1971 (Acts 1971, p. 2341), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000,

according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

By Messrs. Lutz, Hale, Grainger, King and Hearn (with notice and proof):

H. 2007. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

By Messrs. Lutz, King, Grainger, Hearn and Hale:

H. 2008. To repeal Act No. 1332, H. B. 2120, Regular Session 1971 (Acts 1971, p. 2281), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 2009. To repeal Act No. 1475, S. B. 1011, Regular Session 1971 (Acts 1971, p. 2516), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

By Messrs. Lutz, Hearn, Grainger, Hale and King (with notice and proof):

H. 2010. Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

By Messrs. Lutz, Hearn, Grainger, King and Hale:

H. 2011. To repeal Act No. 1877, H. 2112, Regular Session 1971 (Acts 1971, p. 3056), entitled, "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 2012. To repeal Act No. 1902, S. 1020, Regular Session 1971, (Acts 1971, p. 3093), entitled "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

By Messrs. Lutz, King, Grainger, Hearn and Hale:

H. 2013. To repeal Act No. 1310, H. 2124, Regular Session 1971, (Acts 1971, p. 2258), entitled, "An Act Relating to counties having a

population of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

By Messrs. Lutz, Hale, Hearn, Grainger and King:

H. 2014. To repeal Act No. 2490, S. 1016, Regular Session 1971 (Acts 1971, p. 3896), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

By Messrs. Lutz, Grainger, Hale, King and Hearn (with notice and proof):

H. 2015. Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2016. To repeal Act No. 1701, H. B. 2498, Regular Session 1971 (Acts 1971, p. 2859), entitled "An Act To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure."

By Messrs. Lutz, Hale, Hearn, King and Grainger (with notice and proof):

H. 2017. Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

By Messrs. Lutz, Hale, Grainger, Hearn and King:

H. 2018. To repeal Act No. 680, H. B. 954, Regular Session 1967, (Acts 1967, v. II, p. 1507), entitled, "An Act To fix the compensation of the judge of the county court in any county having a population of not less than 170,000 nor more than 300,000 according to the last or any succeeding federal census."

By Messrs. Lutz, Grainger, Hearn, King and Hale (with notice and proof):

H. 2019. Relating to Madison County; fixing the compensation of the judge of the county court.

By Messrs. Lutz, Hearn, Grainger, Hale and King:

H. 2020. To repeal Act No. 24, H. 160, First Special Session 1964, (Acts 1964, p. 45), entitled, "An Act To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2001. To repeal Act No. 1491, S. 1087, Regular Session 1971, (Acts 1971, p. 2569), entitled "An Act To confer upon the district at-

torney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2002. To repeal Act No. 1912, S. 1091, Regular Session 1971 (Acts 1971, p. 3102), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2000. To repeal Act No. 1387, H. 2302, Regular Session 1971 (Acts 1971, p. 2330), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

By Messrs. Lutz, Grainger, King, Hearn and Hale (with notice and proof):

H. 1999. Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1998. To repeal Act No. 233, H. B. 254, Third Special Session 1971, (Acts 1971, p. 4503), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties."

By Messrs. Lutz, Hale, Grainger, King and Hearn (with notice and proof):

H. 1997. Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1996. To repeal Act No. 2192, H. B. 2771, Regular Session 1971, (Acts 1971, p. 3507), entitled, "An Act To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act."

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1995. To repeal Act No. 145, H. 131, First Special Session 1971 (Acts 1971, p. 231), entitled, "An Act To provide for the election of a seven member City Board of Education for any city having a population of not less than 135,000 nor more than 180,000 according to the most recent federal decennial census; and to provide for the terms of its members."

By Messrs. Lutz, Grainger, King, Hearn and Hale (with notice and proof):

H. 1994. Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of the county.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1993. To repeal Act No. 2283, S. B. 1221, Regular Session 1971, (Acts 1971, p. 3684), entitled "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

By Messrs. Lutz, Hearn, Hale, King and Grainger:

H. 1992. To repeal Act No. 2188, H. B. 2767, Regular Session 1971, (Acts 1971, p. 3502), entitled, "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

By Messrs. Grainger, Lutz, Hale, Hearn and King (with notice and proof):

H. 1991. Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1990. To repeal Act No. 1474, S. 1010, Regular Session 1971 (Acts 1971, p. 2514), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1989. To repeal Act No. 1334, H. 2123, Regular Session 1971 (Acts 1971, p. 2283), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

By Messrs. Lutz, Hearn, Hale, Grainger and King (with notice and proof):

H. 1988. Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1987. To repeal Act No. 1448, S. B. 970, Regular Session 1971, (Acts 1971, p. 2471) entitled, "An Act To provide the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1986. To repeal Act No. 1883, S. 1014, Regular Session 1971, (Acts 1971, p. 3064), entitled, "An Act To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases."

By Messrs. Lutz, Hale, Grainger, King and Hearn (with notice and proof):

H. 1985. Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1984. To repeal Act No. 43, H. 72, Second Special Session 1971, (Acts 1971, p. 4180), entitled, "An Act To provide that the city board of education in all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education."

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1983. To repeal Act No. 897, H. B. 1595, Regular Session 1971 (Acts 1971, p. 1661), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

By Messrs. Lutz, Grainger, King, Hearn and Hale (with notice and proof):

H. 1982. Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 1981. To repeal Act No. 1901, S. B. 1018, Regular Session 1971 (Acts 1971, p. 3091), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 1980. To repeal Act No. 1326, H. 2114, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 1979. To repeal Act No. 238, H. B. 581, Regular Session 1961, (Acts 1961, V. 1, p. 268), entitled, "An Act To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 1978. To repeal Act No. 1305, H. B. 2093, Regular Session 1971, (Acts 1971, p. 2350), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

By Messrs. Wynot, Carnes and Waldrop (with notice and proof):

H. 2028. To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

By Messrs. Pierce and Jones:

S. 936. To amend Title 13, Section 125 (75d), Code of Alabama, as amended relating to the payment of supplemental salaries by Montgomery County to deputy district attorneys in the fifteenth judicial circuit.

By Messrs. Hardin and Bassett:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

By Mr. Snell (with notice and proof):

H. 1647. Relating to Chambers County; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, providing for operation of their offices, and to allow the county governing body to pay certain allowances to county officers for expenses they incur to attend the conventions of their respective associations or in the conduct of other business for the county.

By Messrs. Hobbie, Taylor, Barron, Harris and Jones (F):

H. 1740. Relating to all counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census; providing for supernumerary sheriffs in said county; and fixing the qualifications, compensation, status and tenure of office for said officials.

By Mr. Gray (F) (with notice and proof):

H. 2025. To amend Section 2 of Act # 535, S. 528, regular session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

By Messrs. Kinsey and Benton:

H. 2057. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, to prohibit the discharge of litter, specifically bottles and cans, sewage and any other trash or debris into the waters of such counties; to provide for enforcement and penalties for violations of the provisions of this act.

By Messrs. Kinsey and Benton:

H. 2066. To make it a misdemeanor to pick wild sea oats on the beaches of counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Boles and Jones (E) (With Amendment):

H. 635. To amend Title 13, Section 199(2), Code of Alabama, 1940, (Recompiled 1958), as last amended, fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

By Mr. Jones (E), et al (With Amendment):

H. 639. To fix the compensation of the deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Erdreich, et al (With Substitute) (With Amendments):

H. 1048. Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Waggoner, et al (With Amendment):

H. 1049. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal Census.

By Mr. Timmons, et al (With Amendment):

H. 1081. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Gafford, et al (With Amendment):

H. 1189. To amend Section 4, Act No. 571, Acts of Alabama 1967, page 1324, approved September 8, 1967, to further provide for the compensation of the Assistant or Associate Judge of Probate in counties having 600,000 or more population.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hughes, et al:

H. 1145. To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal Decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of property located within 500 feet from the property which is the subject of the proposed change and by placing a sign upon the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change; and, to provide that in the event a protest should be filed with respect to any pro-

posed change in zoning classification by fifty percent or more of the property owners receiving such notice, such change shall not be effected without the affirmative vote of a minimum of two-thirds of the members of such governing body.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hobbie, et al:

H. 485. To amend Section 458, Title 55, 1940 Code of Alabama, as amended, to permit a retired State Policeman to accept employment within any Department or Agency of the state government of Alabama without being required to become or remain a member of the state retirement system as a condition of their employment, or be denied retirement benefits otherwise earned as a state policeman during such term of employment in a classified position other than state policeman.

By Mr. Smith (P), et al:

H. 339. To make an appropriation to the department of agriculture and industries for the two fiscal years ending September 30, 1974 and September 30, 1975, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera and African swine fever.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Stubbs and Lyons (With Amendment):

H. 1530. To amend Section 3 of Act No. 96, H. 17, approved 1971, Special Session, p. 166, which levies and regulates a privilege tax against persons engaged in the business of leasing or renting tangible personal property, so as to further provide for exemptions from the computation of the amount of the tax levied.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bailes, Pierce and Gilmore:

S. 941. To make an appropriation in the amount of \$48,510.52 to the Alabama Corrections Institution Finance Authority.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lindsey:

S. 934. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon (with notice and proof) (With Amendment):

S. 894. To amend Act Number 1255, H. 1118, and Act Number 1144, S. 593, Regular Session, 1969 (Acts 1969, Pages 2145 and 2372, respectively), which authorizes and provides for the establishment of a public law library in Colbert County, and provides for the taxing and collection of additional court costs in certain courts, in the county, to finance such library; to provide further for the taxing and collection of additional court costs for such purpose.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Bannon:

S. 897. To provide for a stenographic secretary for the District Attorney of the Thirty-First Judicial Circuit.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1646. Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or subsequent federal census), so as to allocate to the Board of Health of any such county (effective with the distribution required to be made on or before July 20, 1974) nine per cent (9%) of the first

one-half share of proceeds from the taxes levied by said Act No. 405 over and above that portion allocated for the costs of collection, administration and enforcement and so as to increase (effective with the distribution required to be made on or before October 20, 1973) from twenty-two per cent (22%) to thirty-one per cent (31%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pruitt, Waggoner, Turner, Adwell, Barkett, Owens, Carter, Manley, Collins, Hobbie, Wise, Williams, Casey, Mims, McCorquodale, Downing, Turnham and Crawford:

H. 1319. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to redefine the term "all property of utilities" and thereby except therefrom the property of railroads, freight lines and equipment companies engaged in the business of leasing railroad equipment, and so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Also:

By Messrs. Merrill, Stewart, and Burgess:

H. 622. To provide that all retirement income or disability pay received by any retired military personnel and retired employees of the Tennessee Valley Authority, also salary of retired people in foreign service who are residents of Alabama, shall be exempt from all state, county or city income taxes or like taxes.

Also:

By Mr. Drake:

H. 1515. Amending Section 77 of Title 41, Alabama Code, 1940, requiring the execution of bonds by a tax collector, so as to provide a formula for determining the amount of the bond.

Also:

By Messrs. McDonald and St. John:

H. 2152. To provide for the judges of the Twenty-Seventh Judicial Circuit to jointly act as presiding judge and to provide for the selection of a presiding judge if such arrangement is not feasible, and to provide for the term of such presiding judge.

Also:

By Mr. Williams:

H. 1087. To provide for the enactment of and make Alabama a party to the Southern Growth Policies Agreement.

Also:

By Mr. Hardin:

H. 1126. Proposing an amendment to the Constitution of Alabama which would authorize the enactment of general and local laws with criminal penalties for the conservation and protection of the fish, wildlife, seafoods and agriculture of this state and further, authorizing the delegation to appropriate state agencies the power to promulgate rules and regulations pertaining thereto.

Also:

By Messrs. Grainger, Carter, Hearn and Carnes:

H. 343. To amend Title 36, Section 53, of the Code of Alabama 1940.

Also:

By Messrs. Gafford, Doss, Cottingham, Merrill, Collins, Mims, Boles, Turnham, Adwell, Chesnut, Lang, Downing, McCorquodale, Headley, Snell, Smith (P), Wise, Jones (F), Robertson, Jackson, O'Daniel, Porter, Waggoner, Boutwell, McMillan, Erdreich, Bowers, McBride, Stubbs, Hearn, Culver, Carnes, Callahan, Bank, Reid (R), Perloff, Therrell, Barron, Burgess, Hardin, Bassett, Benton, Smith (K), May, Barkett, Easters, Grey (D), Goodwin, Reynolds, Williams, Carter, King, Narramore, Parker, Crowe, Ellis, Stewart, Pruitt, Casey, Brassell and Reed (T):

H. 1792. To provide further for the compensation of the Clerk of the House and the Secretary of the Senate; providing for an annual salary for each of said officers and requiring that all fees received by them from the sale of bills introduced in the Legislature shall be paid into the State General Fund; to provide that the effective date of this act shall be January 1, 1974.

Also:

By Messrs. St. John, Drake and McDonald:

H. 1409. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing water works systems; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from any such system or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; and to authorize the refunding of any such warrants.

Also:

By Mr. Edwards:

H. 376. To amend Title 52, Section 322, to provide for certification of nurses to serve in the position of professional school nurse and to provide that prior to the issuance of such certificate the applicant shall have met all requirements prescribed by the State Board of Nursing for license as a Registered Nurse.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1319, 622, 1515, 343 and 1792. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 2152, 1087 and 1409. To the Committee on Judiciary.

H. B. 1126. To the Committee on Conservation.

H. B. 376. To the Committee on Health.

(The above Bill, H. B. 1126, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Reed (T):

H. 2069. Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

By Messrs. Turner and Cottingham:

H. 2080. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Also:

By Mr. Williams:

H. 2082. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in counties having populations of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census, and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Also:

By Messrs. Bank, Robertson, Culver and Parker:

H. 2083. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 2085. To amend Section 5 of Act No. 226, Acts of Alabama, 1959, as Amended.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF ETOWAH**

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 5 of Act No. 226, Acts of Alabama, 1959, as Amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 226, Acts of Alabama, 1959, as Amended, is hereby amended to read as follows:

Section 5. The policemen's and firemen's retirement fund shall consist of the following, namely: (a) All of the money, securities, and things of value belonging to any similar fund that may now or hereafter be maintained in the City of Gadsden; (b) All moneys or properties that may be given or donated to said fund by any persons, firm, association, or corporation for the uses and purposes for which said fund is created; and said board may take, by gift, grant, devise, or bequest, any money, personal property, real estate, or any interest therein, or any right of property, for the benefit of said fund; (c) 6 per cent of the monthly salaries of each member of such police and fire departments, which shall be paid by the city clerk to the secretary-treasurer of said board of trustees on the first day of each month; and said six percent of such salaries shall be deducted from said salaries paid such members; (d) all reward money paid to any member of such police and fire departments shall be paid by the recipients of the same into said retirement fund promptly upon receipts of the same; (e) all civil or criminal witness fees received by any member of the police and fire departments for attendance at or before any court or grand jury in Etowah County are located shall be paid into said retirement fund promptly upon the receipt of such fees by the recipients of the same; (f) the governing body of the city shall cause to be paid into said policemen's and firemen's retirement fund, out of the treasury of such city, an amount equal to 12 per cent of the salary of each member of such police and

fire departments who contributes to said fund, and such payment shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section; (g) the city clerk shall cover into said fund all seizure fees collected by the city in cases involving violation of the prohibition laws since the 1st day of February, 1946, and all such fees hereafter collected by the city.

Existing funds and property belonging to or part of any existing similar fund now or hereafter governed by the provisions of this Act, shall be held and administered, used and governed, and transferred and covered into the policemen's and firemen's retirement fund as provided herein, immediately upon this law becoming effective.

Section 2. All laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, July 30, August 6 and August 13, all in the year 1973.

GLEND A GRIFFIN

Sworn to and subscribed before me August 13, 1973.

LEO DRISKILL,
Notary Public.

My Commission expires May 16, 1976.

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 2086. To amend further Act No. 226, H. 588, Regular Session 1959, which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 226, H. 588, Regular Session 1959, which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons.

Be It Enacted by the Legislature of Alabama:

Section 1. Section II of Act No. 226, H. 588, Regular Session 1959, as amended, is amended further to read as follows:

"Section II a) Any member of such police or fire department who has been in continuous service thereof for as long as twenty years, and who was initially employed before October 1, 1973, upon making written application to the board of trustees therefor, shall, without medical examination or disability, be retired from service in such department and, upon such retirement, the board of trustees shall direct the payment to such retired member, monthly, from such fund, the amount hereinafter provided for his particular position, office, salary or class of work.

b) Any member of such police or fire department who has been in continuous service thereof for as long as twenty-five years and has attained the age of fifty-five, and who was initially employed after September 30, 1973, upon making written application to the board of trustees therefor, shall, without medical examination or disability, be retired from service in such department and, upon such retirement, the board of trustees shall direct the payment to such retired member, monthly, from such fund, the amount hereinafter provided for his particular position, office, salary, or class of work.

Section 2. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, July 30, August 6, and August 13, all in the year 1973.

GLENDA GRIFFIN.

Sworn to and subscribed before me August 13, 1973.

LEO DRISKILL,
Notary Public

Also:

By Messrs. Carnes, Wynot and Waldrop:

H. 2087. To amend further Section 4 of Act No. 671, H. 921, Regular Session, 1951 (Acts 1951, p. 1158) as amended, which provides

for the appointment of a three member Civil Service Board for Gadsden, appointed by the Governor for a term of three years, to provide further for the increase in membership to five members appointed by a majority vote of the combined legislative delegation of the City of Gadsden; to place restriction on membership.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 4 of Act No. 671, H. 921, Regular Session 1951 (Acts 1951, p. 1158) as amended, which provides for the appointment of a three member Civil Service Board for Gadsden, appointed by the Governor for a term of three years, to provide further for the increase in membership to five members, appointed by a majority vote of the combined Legislative Delegation of the City of Gadsden; to place restriction on membership.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 671, H. 921, Regular Session 1951 (Acts 1951, p. 1158) is hereby further amended to read as follows:

"Section 4. The combined legislative delegation of the City of Gadsden, by majority vote shall each year, appoint one person as the successor to the member or members of said Civil Service Board whose terms shall expire that year. "The combined legislative delegation of the City of Gadsden" is hereby defined as consisting of all persons in the Legislature who are elected either wholly or in part by the electors of the City of Gadsden. The terms of those members presently serving shall expire at their designated date. Their successors' terms shall run three years from and including the first Tuesday after the first Monday of April of said year of appointment and until his successor shall be appointed. There is hereby created two additional positions on said board, the terms of these additional members and their successors being for three years, with appointment to the original position becoming effective September 1, 1973, or immediately upon the effective date of this bill if such date is later than September 1, 1973. Appointments to fill vacancies on said board shall be for the unexpired term. Any member of said board whose term shall expire shall be eligible for reappointment. Three members of said board shall constitute a quorum. No person shall be eligible to be a member of said Civil Service Board who shall not, at the time of his appointment, be over eighteen years of age and an actual resident in and a qualified voter of such city. No person shall be eligible to be a member of said board who holds any office of profit under the city, county, or state.

"Persons within the following categories may not be eligible to serve on said board: (1) a former member of the City Commission (2) any person related by blood or marriage within the fourth degree to any present employee of the Gadsden Police or Fire Department at the time of appointment (3) a former member of either the Gadsden

Police or Fire Department. Be it further provided that the Public Safety Commissioner of said City shall serve as an ex-officio member of said board, with no voting rights.

"The members of any civil service board in any city who are holding office on the effective date of this act shall continue to hold office and serve and be members of the board provided for herein."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, July 30, August 6, and August 13, all in the year 1973.

GLEND A GRIFFIN.

Sworn to and subscribed before me August 13, 1973.

LEO DRISKELL,
Notary Public, Alabama State at Large.

My Commission Expires May 16, 1976.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2088. To provide an annual salary for the tax assessor and tax collector of Marshall County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide an annual salary for the tax assessor and tax collector of Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. Beginning at the next term of their respective offices following the effective date of this act, the Tax Assessor and Tax Collector of Marshall County shall each receive annual compensation of

fourteen thousand dollars (\$14,000). At the commencement of such terms of office, this act shall repeal and supersede all other acts providing for annual compensation of said offices.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

A Bill to be entitled an Act to provide an annual salary for the Tax Assessor and Tax Collector of Marshall County.

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated July 12, 19, 26, Aug. 2 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit.

JOHNNIE COUCH.

Subscribed and sworn to before me this 10th day of August 1973.

ALICE WELLS HARVEY,
Notary Public.

My Commission expires Mar. 8, 1976.

Also:

By Messrs. McDonald and St. John:

H. 2089. To authorize and provide for holding an advisory referendum by the qualified voters in cities having populations of not less than 9,500 nor more than 10,000, according to the most recent federal decennial census, on the question of establishing a school system separate from the county.

Also:

By Mr. Fite:

H. 2092. Relating to all counties having a population of not less than 16,600 nor more than 16,950, according to the last or any subsequent federal decennial census, authorizing the appointment of a deputy coroner in such counties.

Also:

By Mr. Fite:

H. 2093. To make an appropriation from the Marion County treasury for the relief of Ronnie Cook.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the Marion County treasury for the relief of Ronnie Cook.

Be It Enacted by the Legislature of Alabama:

Section 1. The Marion County Commission is hereby authorized, empowered, and directed to appropriate the sum of \$631.75 for the relief of Ronnie Cook to compensate him for personal property damage sustained in an accident involving the Marion County Sheriff's car, which said accident occurred on or about the 11th day of April, 1973, under such circumstances that said county is morally and justly obligated to pay damages, but the said Ronnie Cook has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Donald Gipson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Marion County Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, August 2, and August 9, all in the year 1973.

DONALD E. GIPSON.

Sworn to and subscribed before me August 13th, 1973.

RAYMOND C. LOGAN,
Notary Public.

Also:

By Mr. Kinsey:

H. 2101. Relating to Baldwin County; to require security deposit for court costs in all civil suits filed in any court in Baldwin County or in lieu thereof a pauper's oath; and prescribing penalties for false statements.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

Relating to Baldwin County; to require security deposit for court costs in all civil suits filed in any court in Baldwin County or in lieu thereof a pauper's oath; and prescribing penalties for false statements.

Be It Enacted by the Legislature of Alabama:

Section 1. No civil suit shall be received for filing by the clerk of any court in Baldwin County, unless the bill of complaint is accompanied by a cash security deposit in the amount of \$20.00 for court costs. In the event the court costs are not collected from the defendant in such suit, the security deposit shall be applied toward the payment of the costs in the suit. Upon the payment of court costs by the defendant in any suit in which a security deposit has been made, the security deposit shall be refunded to the plaintiff.

Section 2. Any plaintiff who is destitute and unable to furnish the security deposit required by Section 1 of this act shall be relieved from making such deposit upon filing with the bill of complaint in lieu of the deposit a pauper's oath in such form as prescribed by the presiding circuit judge of Baldwin County; provided, however, that there shall be boldly printed thereon at an appropriate place above the signature of the plaintiff making the oath the following words: "Any person who willfully makes a false statement hereon shall be subject to the penalties and punishment of perjury."

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Cameron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Onlooker, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, August 2, and August 9, all in the year 1973.

JOHN P. CAMERON.

Sworn to and subscribed before me August 9th, 1973.

SAMUEL K. SMITH,
Notary Public.

Also:

By Messrs. Turnham, Adams and Brassell:

H. 2102. Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divi-

sions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA LEE COUNTY

Notice is hereby given that a bill, substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, said court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. DISTRICT COURT CREATED.

There is hereby established in Lee County a court with county-wide limited jurisdiction of criminal cases and civil actions formerly at law. The court shall be known as the "District Court of Lee County, Alabama." It shall be in lieu of the Court of Common Pleas of said county which is abolished as of the effective date of this Act. The District Court of Lee County shall be comprised of four divisions as follows: civil, criminal, juvenile and small claims, as provided herein.

Section 2. JURISDICTION.

(a) Except as provided in Subsection (b) following, the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including paternity proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment of actions in the nature of actions in ejectment), cognizable before the circuit court, or formerly in a county court, a juvenile court, or a justice court, and all courts of like jurisdictions. It shall have authority to punish contempts by fine not exceeding \$50.00, and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are consistent with the Rules of Civil Procedure as adopted by the Supreme Court.

(b) The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the mat-

ter or sum in controversy exceeds \$2,000.00 nor take cognizance of any matter or proceeding formerly in equity, except as set out in Section 7, relating to the Juvenile Division of this Court.

(c) The court may adopt and enforce rules and regulations for pleading, practice and procedures in civil, criminal, juvenile and small claims cases consistent with the rules of civil and criminal procedure adopted for the circuit courts except as provided herein.

Section 3. JUDGE.

(a) A judge of the District Court shall be elected by the qualified electors of the county at the general election of 1974, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by the Constitution. He may be removed from office for any cause enumerated in the Constitution, in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Lee County, learned in the law and licensed to practice law in this State. The judge shall not engage in the practice of civil or criminal law, and shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in the Constitution.

(c) The judge shall receive an annual salary of \$20,000.00, payable out of the general fund of the county in equal monthly installments.

(d) The judge shall have authority to: (1) grant writs of habeas corpus and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and Ne exeat returnable to a court of proper jurisdiction, (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, and judges of juvenile and county courts or district courts which may be hereafter created.

(e) The judge shall keep an office in the county courthouse, or such other place as shall be provided by the governing body of the county. His office shall be suitably equipped, furnished and provided at the expense of the county with such office supplies, telephone service, stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court. The judge shall employ, at his discretion, such officers and employees as may be necessary to conduct the operation of the District Court and all of its divisions as provided in this Act, and shall fix their salaries with the approval of the county governing body. The judge, and all such officers and employees, shall be deemed to be employees of Lee County, Alabama.

Section 4. SESSIONS.

The District Court of Lee County, Alabama, shall be open for the transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times. Sessions of the court shall be held at the county courthouse or in such other places as may be determined by the judge to be necessary, and any additional facilities required for the court shall be provided by the county governing body. The judge of said court shall determine and fix by order spread upon the minutes a regular time of holding the sessions of said court as necessary for the orderly and speedy trial of all cases.

Section 5. CIVIL DIVISION.

(a) The judge of the District Court of Lee County shall preside over the Civil Division hereby established for said court. Except as otherwise provided in this Act, the practice, procedure and process of the Civil Division of the District Court of Lee County shall be governed by the Alabama Rules of Civil Procedure, and statutes governing commencement and conduct of civil actions in the circuit courts.

(b) In civil actions when the summons, writ of attachment, summons and complaint in attachment, writ of garnishment or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and respond thereto within fifteen days, and the process issued shall so recite.

(c) The Civil Division of the District Court of Lee County shall not draw, organize, or empanel any jury for the trial of civil cases. The judge shall decide all issues of fact without the intervention of a jury.

(d) The sheriff shall attend the sessions of the District Court of Lee County in person or by deputy. He shall execute all writs and processes of the Civil Division of the District Court of Lee County, and perform the same duties as he would be required to perform in the circuit court.

(e) The party in whose favor a judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as are provided by statute.

Section 6. CRIMINAL DIVISION.

(a) The judge of the District Court of Lee County shall preside over the Criminal Division of said Court. Prosecutions may be commenced in the Criminal Division of the District Court of Lee County upon the sworn complaint made to the judge of the court, who shall issue a warrant of arrest if he is reasonably satisfied that offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by law, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the same shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Lee County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama, Title 36 as amended, shall be returnable to the District Court and shall be tried there.

(c) Either the District Attorney or the Assistant District Attorney for the judicial circuit in which Lee County is situated shall attend the sessions of the criminal division of the court, and shall conduct all criminal prosecutions in the court.

(d) The sheriff shall attend the sessions of the criminal division of the court in person or by deputy. He shall execute and serve all warrants and processes of the criminal court, and perform the same duties as he would be required to perform in the circuit court.

(c) The criminal division of the District Court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

(f) One-half of the costs of court taxed in Rules of the Road cases made by the State Troopers under the authority of Title 36 of the Code of Alabama, 1940, as amended, shall be remitted to the general fund of Lee County, Alabama, for the use of said county.

Section 7. JUVENILE DIVISION.

(a) **JURISDICTION.** The judge of the District Court of Lee County shall preside over the Juvenile Division of said court. The Juvenile Division shall have all of the powers and jurisdiction conferred by law upon Juvenile Courts, including specifically Chapter 7 of Title 13, and Chapter 11 of Title 52, all of Code of Alabama, 1940; as amended or recodified. In addition to the foregoing statutory jurisdiction pertaining to juveniles, while it is exercising its juvenile jurisdiction the District Court shall also have the general powers of equity courts in the exercise of their inherent equity jurisdiction to protect and care for children under the doctrine of *parens patriae*.

(b) **JURY TRIAL.** When a juvenile defendant is entitled to a trial by jury upon making timely demand therefor, or at the discretion of the judge, the judge shall empanel a jury to decide questions of fact in proceedings involving juveniles which would be criminal prosecutions except for the age of the juvenile. In the event a jury venire has been empanelled for the circuit court at the time a juvenile case is being tried, the judge may direct that the jury be selected from such circuit areas involving the welfare of juveniles and their families, and make proper reports to the Court as requested by the Judge or District Attorney. The probation officers may refer to the Department of Pensions and Security for investigation cases involving dependency, neglect and suspected child abuse. The compensation of the juvenile court officer and the probation officers shall be fixed by the Judge, subject to the approval of the county governing body; but the compensation of the juvenile court officer shall be a salary of not less than \$9,000.00 nor more than \$12,000.00 per year, and the compensation of each probation officer shall be a salary of not less than \$9,000.00 nor more than \$12,000.00 per year. Such salaries shall be payable out of the county treasury of Lee County at the same time and in the same manner as the salaries of other employees of Lee County.

(d) **AUTOMOBILE, EQUIPMENT, INSURANCE AND PROFESSIONAL CONFERENCES.** The county governing body of Lee County shall also provide for furnishing such automobiles and other supplies and equipment as are reasonably needed by the Juvenile Court officer and the probation officer or officers, as the case may be, and such equipment as needed by the Court. The county governing body of Lee County shall also provide for paying the maintenance and operating expenses and insurance coverage of all such automobiles as are furnished. Such governing body shall also defray the reasonable expenses of the Judge and any other officer or employee of the juvenile court incurred in attending any conference, seminar or professional convention relative to the duties, powers and functions of the juvenile court of Lee County, Alabama, or the officers thereof.

(e) **LEGAL REPRESENTATION.**

(i) The District Attorney or his designated assistant may appear in the Juvenile Court of Lee County, Alabama, in behalf of and in representation of the State or juveniles or parties to the action.

(ii) In the absence of a public defender or in the absence of representation by retained counsel, the Judge of said Court may appoint legal counsel to represent the juvenile in any court proceeding, and said counsel shall be compensated from the County's General Fund as is provided by law.

Section 8. SMALL CLAIMS DIVISION.

The Small Claims Division of the District Court of Lee County shall be presided over by the judge of the Court, assisted by a Referee to be appointed by the judge of the District Court of Lee County. Said Referee shall be paid not less than \$6,000.00 nor more than \$7,200.00 per annum, the exact amount to be fixed by the county governing body. The Small Claims Division of the District Court shall be responsible for the disposition of all claims in amounts not exceeding \$250.00. The Referee of the Small Claims Division shall be authorized to issue summons and complaints, and all appropriate writs to commence a suit, and in addition to issue process of garnishment, writs of detinue and attachment, after judgment or as provided by law. Personal service of process shall be executed by any lawful officer or constable and the fees and mileage provided by law for service of process in the circuit courts shall be charged and paid to said constable. Service of any process in the small claims division is effected on the person to be served by delivering to him a copy thereof with a copy of the complaint or other initial pleading, or by leaving such copies at either his usual place of abode or place of employment with some person of the family above 15 years of age or in charge of such place of employment, and in either event informing such person of their contents. In the alternative process may be made by certified mail addressed to the defendant's proper mailing address. In the event the defendant shows to the satisfaction of the court that he was not properly served and did not know of the existence of such suit before judgment was entered against him, and also shows to the satisfaction of the Court that he had a good defense to the claim, in whole or in part, the Court shall set aside any judgment by default and allow the defendant to interpose his defense; but, it shall not be necessary to re-serve the defendant. After service of process has been executed and perfected on the defendant as required by law, the defendant shall appear and answer thereto within five days, and the process issued shall so recite. The filing fee for claims for amounts not exceeding \$50.00 shall be \$5.00. The filing fee for claims for amounts not exceeding \$100.00 shall be \$10.00. The filing fee for claims for amounts in excess of \$100.00 shall be \$15.00. Such filing fees shall be paid in advance by the plaintiff and reimbursed to him if collected from the defendant. No other costs or charges except for service of process shall be assessed the plaintiff or claims in the Small Claims Division, but costs for other papers or writs filed shall be set by a schedule of costs to be fixed by the judge. The procedures and forms of the Small Claims Division shall be prescribed by the judge of the District Court of Lee County, and The Referee shall assist the plaintiff in the preparation thereof upon request. The Referee shall have authority to enter judgments by default, and by consent of the parties to hear and decide controversies and cases in the Small Claims Division, but any party may request his case to be tried before the judge of the District Court, The Referee may be a deputy clerk of this Court, and as such bonded and authorized to take payments or collections on judgments and to issue receipts therefor.

Section 9. CLERKS.

(a) The Circuit Clerk of Lee County shall be the clerk of the Court herein established. In addition to his regular fees, commissions and compensations, the clerk shall receive for such services the sum of \$6,000.00 per annum which sum shall be payable in equal monthly installments from the general fund of the county. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the Court. Before entering upon the performance of his duties as clerk of the

District Court of Lee County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

The clerk shall have power and authority: (1) To administer oaths and take acknowledgments and affidavits; (2) To sign and issue all processes issuing out of the court, in all of its divisions, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) To approve bonds in civil and criminal cases including appeal bonds; (4) To enter all judgments, orders, and decrees of the court; (5) To certify all appeals and transcripts; (6) To exercise all powers and authority which are now or may be hereafter, conferred on clerks of county or district courts; (7) To supervise the administrative functions of the Small Claims Division of the District Court, subject to the approval of the judge of the District Court.

Section 10. COSTS.

(a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulation as apply to the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as provided by law.

(c) A trial tax of \$5.00 shall be collected for the use of the county in each civil action and in every criminal case, a trial tax of \$5.00 shall be collected for the use of the county.

(d) Costs in juvenile cases may be taxed by the Court as in cases formerly in equity, and the Court may decline to tax any costs at all. In addition to usual court costs the judge may tax as costs against a juvenile the amount necessary to make restitution to any person injured, damaged or wronged by such juvenile.

Section 11. APPEALS.

Any party aggrieved by a judgment, order, or ruling of the court may, within fifteen days after the rendition thereof, appeal the decision as herein provided. (1) If the case is a civil case, the appeal lies to the circuit court of Lee County where the trial shall be de novo with trial by jury where demanded by either party in writing filed with the clerk within 15 days after notice of appeal is filed with the clerk or at the option of the appellant the appeal lies to the court of appeals, except as to actions involving possession of lands, and shall be governed by statute. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed \$250.00, the issues shall be made up as provided by law; otherwise the pleadings and trial shall be according to the regular rules of pleadings and practice in the circuit court. (2) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by statute. (3) In every criminal case, the appeal lies to the circuit court, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant or at the option of the appellant to the court of appeals and shall be governed by statute.

Section 12. TRANSFER OF PENDING CASES.

All cases and actions pending in the Court of Common Pleas of Lee County on the effective date of this Act shall be transferred to the

Court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court; this Court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 13. COURT REPORTER.

The judge of the District Court of Lee County shall secure the services of a competent shorthand writer to act as court reporter for such court. Such reporter shall be an officer of the Court while performing his duties, and shall have the same powers, duties and responsibilities as a reporter in the circuit court. Such reporter shall, while performing his duties as provided herein, be compensated from the county treasury at the same rate and in the same manner as circuit court reporters, and shall serve at the pleasure of the Judge.

Section 14. SEVERABILITY.

The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 15. REPEALER.

All laws in conflict with this Act are repealed to the extent of the conflict.

Section 16. EFFECTIVE DATE.

This Act shall become effective on the first Monday after the second Tuesday in January, 1975.

**STATE OF ALABAMA,
LEE COUNTY**

Before me, the undersigned authority in and for said county in said state, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the OPELIKA-AUBURN DAILY NEWS, a newspaper of general circulation, published in Lee County, State of Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, August 3, and August 10, all in the year 1973.

MILLARD B. GRIMES,
Publisher.

Sworn to and subscribed before me on this the 14th day of August, 1973.

ROBBIE L. HOOKS,
Notary Public, State of Alabama At-Large.

Also:

By Messrs. Smith (P) and McCluskey:

H. 2110. Relating to Talladega County, fixing the salary of the tax collector of such county.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF TALLADEGA**

Notice is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County, fixing the salary of the tax collector of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the Tax Collector of Talladega County shall be \$12,500 per annum, payable out of the county treasury as other salaries are paid.

Section 2. Such salary shall be the entire compensation payable to such officers, and no such officer shall receive any fees after such salary takes effect, except that such officers may be reimbursed for actual expenses as provided for by Act No. 2097, H. 1582, Regular Session 1971, (Acts 1971, p. 3364).

Section 3. All laws or parts of laws which conflict with this act are hereby repealed and Act No. 518 H. 982, Regular Session 1951 (Acts 1951, p. 908) and Act No. 519, H. 983, Regular Session 1951 (Acts 1951, p. 908) are expressly repealed.

Section 4. The compensation under this act shall become effective as to the above mentioned officers upon the expiration of the term of office of the incumbents of such offices.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 23, July 30, and August 6, all in the year 1973.

LENA ROBINSON.

Sworn to and subscribed before me 6th Day Of August, 1973.

ZELL S. COPELAND,
Notary Public.

Also:

By Mr. Turnham:

H. 2103. To authorize the city board of education in all cities having a population of not less than 22,000 nor more than 25,000 according to the last or any subsequent federal decennial census to assume responsibility for community education, park and recreation programs.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2069, 2080, 2082, 2083, 2085, 2086, 2087, 2088, 2089, 2092, 2093, 2101, 2102, 2110 and 2103. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Parker.

H. 831. Relating to Tuscaloosa County: Providing for the appointment of an assistant circuit clerk of the circuit court of Tuscaloosa County; prescribing the duties and authority of such clerk, fixing the compensation and providing for payment from the general funds of the county.

Also:

By Mr. Robertson:

H. 1436. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having a population of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

By Messrs. Culver, Parker and Bank:

H. 1593. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, so as to enumerate certain political activities which shall not preclude employment of any person coming under the provisions of any county civil service systems established in such counties.

Also:

By Messrs. Parker and Culver:

H. 1618. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, providing further for the salaries of the tax collectors of such counties.

Also:

By Messrs. Parker and Culver:

H. 1619. To provide an annual expense allowance for the circuit clerks of all counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, which expense allowances shall be effective only for the duration of the present terms of office of the circuit clerks of such counties.

Also:

By Messrs. Parker and Culver:

H. 1620. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, providing further for the salaries of the tax assessors of such counties.

Also:

By Messrs. Bank, Parker and Culver:

H. 1094. Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. In so far as applicable the Alabama Rules of Civil Procedure adopted by the Supreme Court of the State of Alabama to become effective on July 3, 1973, shall govern all pleading, practice and procedure in all civil actions in the Tuscaloosa County Court, except there shall be no pretrials or pretrial orders; however, nothing in this Act shall be construed as conferring on any party a right to trial by jury in the Tuscaloosa County Court.

Section 2. The Tuscaloosa County Court shall have jurisdiction in civil actions in which the amount involved is Two Thousand and no/100 (\$2,000.00) Dollars or less.

Section 3. The judge of the Tuscaloosa County Court shall be paid an expense allowance of Five Thousand and no/100 (\$5,000.00) Dollars per annum which shall be in addition to any and all other expenses, allowances, salary and other compensation now provided by law. Such allowance shall be paid in equal monthly installments out of the county general fund.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
TUSCALOOSA COUNTY

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks: viz April 12, 19, 26, May 3, 1973.

WADE KIRKLAN,
Legal Clerk.

Subscribed and sworn to before me on this the 3rd day of May, 1973.

LaJUNE BURNETT,
Notary Public.

Also:

By Mr. Headley.

H. 1914. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Maplesville, in Chilton County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and ex-extend the boundary lines and corporate limits of the Town of Maplesville, in Chilton County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Maplesville in Chilton County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, to wit:

The N. W. $\frac{1}{4}$ and the S. W. $\frac{1}{4}$ of Section 17, Township 21, Range 12, Chilton County, Alabama.

The N. W. $\frac{1}{4}$ of Section 20 and the S. W. $\frac{1}{4}$ of Section 20, all of Township 21, Range 12, Chilton County, Alabama.

All of Section 28, Township 21, Range 12, Chilton County, Alabama.

All of Section 29, Township 21, Range 12, Chilton County, Alabama.

All that area South of the North line of Section 16, Township 21, Range 12, and East of Mulberry Creek and West of the East line of Section 16 and Section 21, both of Township 21, Range 12, Chilton Co., Alabama.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHILTON

Personally appeared before the undersigned Notary Public in and for said county and state, Tommy M. Patterson, Publisher of the Central Alabama Independent Advertiser, a Newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of: 20th day of June, 27th day June, 4th day of July, and 11th day of July, 1973.

TOMMY M. PATTERSON,

Subscribed and sworn to before me this day of July, 1973.

HELEN ATKINSON MOORE,
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2027. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Wilcox County is hereby authorized to enter into contract for the purchase, lease or contractual services for providing data processing, computerized services or other modern or updated electronic based systems for bookkeeping recording, indexing and filing of all documents, instruments and writings that are of record in the office of the probate judge, tax assessor and tax collector of said county. Said commission may provide for the microfilming of all records, documents, files, papers or other writings which are required by law to be recorded in the office of the probate judge, tax assessor or tax collector and for such projective and reading equipment as may be necessary. Such microfilms or prints therefrom when duly authenticated by the said probate judge, tax assessor or tax collector, as the case may be, shall have the same force and effect at law as the original record or of copies thereof when made by any other legally authorized means, and may be offered in like manner, and shall be received in evidence in any court where such original record or copy thereof made by other legally authorized means, could have been received in court.

Section 2. The county commission shall provide for the services, equipment and supplies necessary to implement the provisions of Section 1 of this act by either lease or outright purchase or by contractual services, whichever in the discretion of the county commission is deemed to be in the best interest of the county. The probate judge of said county shall be authorized to select the type of services to be used and to recommend and approve all contracts therefor. Because of the specialized nature of such services, all contracts therefor may be made without regard to any applicable statewide or local competitive bid law.

Section 3. All funds necessary and incidental for the implementation of this act shall be paid out of the general fund of Wilcox County.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Pub of the Progressive Era a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for 4 successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, 28, July 5 & 12, all in the year 1973.

M. HOLLIS CURL.

Sworn to and subscribed before me July 12, 1973.

GLEND A. CURL,
Notary Public.

Also:

By Messrs. Agee and McCorquodale:

H. 2033. Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) Relating to Choctaw County, Alabama; every person, firm, corporation, copartnership, club or association, other than the State Alcoholic Control Board stores, who sells or distributes spirituous or vinous liquors shall pay a privilege or excise tax of ten percent on the wholesale price of each bottle or other container thereof.

(b) Every person, firm, copartnership, corporation, club, association, agency, distributor, storer, or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) shall pay a privilege license or excise tax upon the sale, use or consumption, distributing, storing or withdrawing from storage in said counties of any malt or brewed beverages as herein defined. Such tax shall be in an amount equal to two cents on each twelve fluid ounces, or fractional part thereof, and one-sixth cent for each ounce in excess of twelve ounces in a container, of malt or brewed beverages sold, used, consumed, distributed, stored or withdrawn from storage in said counties, which tax shall be in addition to any and all other taxes heretofore or hereafter levied on such beverages. Provided, the County Commission of Choctaw County if it deems it advisable, may levy an additional tax not to exceed two cents on each twelve fluid ounces or fractional part there-

of and one sixth cent for each ounce in excess of twelve ounces in a container on malt or brewed beverages sold, used, consumed, distributed, stored, or withdrawn from storage. Where the amount of tax levied under the provisions of this Act shall have been paid to the counties or to any municipalities therein by any seller distributor, dealer, storer or user, such payment shall be sufficient the intent being that the tax levied by this Act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the Probate Judge of Choctaw County who shall be solely responsible for the administration of this Act. Said Probate Judge shall provide rules and regulations and administrative machinery for the enforcement and collection of the tax levied and may provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax and provide proper forms requiring sufficient information and proof to be verified by the oath of any seller distributor, dealer, storer, or other user claiming exemptions from payment of the tax on account of purchases made from payment of the tax on account of purchases made from others who have paid the tax imposed by this Act. As his compensation for the performance of his duties in administering this act the Probate Judge shall be entitled to two and one-half per cent (2½%) of all taxes collected under the provisions of this act. Said Probate Judge shall be authorized to employ such additional personnel and inspectors to assist in the administration and enforcement of this Act as it deemed necessary and desirable at a cost not to exceed ten percent of the proceeds of the tax per annum.

Section 3. (a) Each and every seller of spirituous or vinous liquors shall on or before the fifteenth day of the first full calendar month after the effective date of this Act, and on or before the fifteenth day of each calendar month thereafter, file with the Probate Judge, a written statement, sworn to and subscribed by such seller, showing the name and address of such seller, each and every purchase, receipts or procurement of spirituous or vinous liquors made by such seller during the calendar month next preceeding together with the brand or brands of such spiritous or vinous liquors, the quantity of each brand, the wholesale price, the size of the container of each brand, the date or dates on which purchased, together with the quantity of each brand of such spirituous or vinous liquors sold, distributed, or delivered.

(b) Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this Act, and on or before the 15th day of each calendar month thereafter, file with the Probate Judge a written statement sworn to and subscribed by such distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller, or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of container of each brand of such malt or brewed beverages, the quantity of each brand, the size and kind of container of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt brewed beverages and the date or dates on which sold, distributed or delivered.

(c) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of spirituous or vinous liquors or malt or brewed beverages within the county without first having obtained a permit to do so from the Probate Judge and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section or any other part of this Act, shall authorize any sale, distribution or delivery of spirituous or vinous liquors or of any malt or brewed beverages within said counties, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5 (a) It shall be the duty of any person subject to the license tax imposed by this Act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the Probate Judge thirty days notice in writing of his intent to destroy or dispose of such records. The Probate Judge of its duly authorized agent is authorized to inspect such records and to make copies of such parts of same as may be deemed advisable or proper. The failure to keep such records or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the Probate Judge or its authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this Act to furnish, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business all books of account invoice, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories, and any other information from which the correct amount of license tax to which such person is subject may be determined including herein the exhibition of bank deposit, books and bank statements. Any person failing to or refusing to submit such records for such inspection or examination upon lawful demand therefore shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this Act not keep and have in his possession or control correct and detailed books of account, invoice, papers, reports, or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due and the required information as to sales in the several tax receipt areas; or, if, having the same in possession or under control such person fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the Probate Judge to ascertain from such information and data as may reasonably be obtained the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipts of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and each day of failure to pay shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in Section 3 or when he buys his decals or

other devices from the Probate Judge, if the Probate Judge requires the distributor or seller to buy decals or other devices.

Section 6 (a) It shall be the duty of the Probate Judge to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in compliance with the provisions of this Act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the Probate Judge to enforce the provisions of this Act, and to that end they are authorized to enter lawfully any premises of any retailer of spirituous or vinous liquors or of malt or brewed beverages at any time during the hours in which retailer is engaged in the business of selling or serving spirituous or vinous liquors or malt or brewed beverages and to inspect the containers of spirituous or vinous liquors or malt or brewed beverages, in the retailer's possession for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this Act. It shall be lawful also for any police officer or deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages or spirituous or vinous liquors.

Section 7 (a) Collection of the tax may be accomplished in this fashion:

The probate judge by requisition to and upon the governing body of Choctaw County, may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage, distributed or sold, each of which decals or other devices shall bear in legible characters a notation that evidences the payment of the tax levied by this Act, and may procure such forms and other printed matter and material as may be necessary in the administration of this Act. To reimburse Choctaw County for the cost and expense incurred by it in securing and furnishing the said decals or other devices, and forms and other matter furnished by the county commission. There shall be deducted from the gross amount of tax collected, at each tax distribution period, the cost and expense incurred by the county in procuring and furnishing the decals or other devices contemplated by this Act and the cost of form or other materials hereinbefore provided for, and shall pay over the amount so deducted to the county. Decals or other devices may be furnished by the probate judge to each seller or distributor of spirituous or vinous liquors and malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures less a ten percent discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of spirituous or vinous liquors or malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

(b) The amount distributed by the probate judge to the several recipients of the proceeds of the tax as provided in this Act, shall be, as to each recipient of the tax, that recipient's proportionate part of the net proceeds of the tax, such net proceeds to be the total amount of taxes collected less the cost of collection and expenses of administration of this Act.

Section 8. After the payment of all costs of collection and enforcement, of the tax levied herein, the net proceeds shall be prorated and distributed monthly by the Probate Judge to the county and municipali-

ties therein on the basis of their respective populations according to the most recent Federal Decennial Census or the most recent count by the Bureau of the Census.

The Probate Judge shall determine the distribution formular after each federal decennial census and the new formular shall go into effect on the first day of January of the year next succeeding the year in which the federal government publishes the decennial figures, or on the first day of the second month succeeding the month the most recent count by the Bureau of the Census is filed with the Probate Judge.

Section 9. Any person, firm, or corporation who violates any provision of this Act or the rules and regulations as may be provided by the Probate Judge of Choctaw County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offence.

Section 10. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations set out by the Probate Judge shall pay, in addition to the tax, a penalty of ten percent of the amount of tax, together with interest therein at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 13. The operation of this Act shall be retroactive to July 14, 1973, and all taxes paid pursuant hereto- are ratified and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Choctaw Advocate, Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, Aug. 2, and August 9, all in the year 1973.

C. D. BOZEMAN.

Sworn to and subscribed before me August 8, 1973.

NELL F. EZELL,
Notary Public.

Also:

By Messrs. Agee and McCorquodale:

H. 2031. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Also:

By Messrs. Agee and McCorquodale:

H. 2034. Relating to the First Judicial Circuit; designating each county solicitor or assistant district attorney in each county composing the circuit as a deputy district attorney, and providing that all such deputy district attorneys shall be entitled to receive equal shares of any funds appropriated by the state for the compensation of deputy district attorneys.

Also:

By Messrs. Agee and McCorquodale:

H. 2035. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Also:

By Messrs. Agee and McCorquodale:

H. 2036. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any foreign medical graduate residing within this state and wishing to practice medicine as a licensed physician in Choctaw County, who has met all other requirements with the exception of the Educational Counsel for Foreign Medical Graduates (ECFMG), now required by the State Board of Medical Examiners, shall have two alternate means by which to obtain a certificate. Such means shall be as follows:

(a) Said graduate may apply for and take the Federation Licensing Examination (FLEX), sponsored by the Federation of State Medical Boards of the United States. Upon making such application to the State Board of Medical Examiners, the said State Board of Medical Examiners must grant the application to said applicant. If the graduate scores a grade consistent with the requirements of the Licensing Board of the

Federation of State Medical Boards of the United States, then he must be licensed to practice medicine in this state.

(b) Said graduates may take the test known as the Educational Counsel for Foreign Medical Graduates (ECFMG), and if a passing score is achieved, then he must be allowed to take the Federation Licensing Examination as provided in subsection (a) above.

No rules or regulations promulgated by the State Medical Association or any of its subdivisions shall prevent such foreign graduates from selecting the above stated alternative he deems to be in his best interest.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared C. D. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Choctaw Advocate, Inc., a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, Aug. 2, and Aug. 9, all in the year 1973.

C. D. BOZEMAN.

Sworn to and subscribed before me August 8, 1973.

NELL F. EZELL,
Notary Public.

Also:

By Messrs. Agee and McCorquodale:

H. 2037. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants, according to the most recent federal decennial census; to provide for the election of members of the county commission from specified districts.

Also:

By Messrs. Carter and Cross:

H. 2041. Relating to counties having a population of not less than 39,500 and not more than 41,750 according to the most recent federal decennial census, providing an expense allowance for certain county officers.

Also:

By Messrs. Cross and Carter:

H. 2042. Relating to any counties having a population of not less than 27,000 nor more than 27,900; authorizing the county commission to set an expense allowance for county officials.

Also:

By Messrs. Cross and Carter:

H. 2043. Relating to Lawrence County, abolishing the fine and forfeiture fund of Lawrence County and providing that all monies now in the fine and forfeiture fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the fine and forfeiture fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the circuit court, county court or other inferior court shall be paid on collection into the general fund of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lawrence County, abolishing the fine and forfeiture fund of Lawrence County and providing that all monies now in the fine and forfeiture fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the fine and forfeiture fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the circuit court, county court or other inferior court shall be paid on collection into the general fund of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. All revenues accruing to the fine and forfeiture fund of such county, as prescribed by law, shall hereafter be paid into the general fund of the county and the fine and forfeiture fund of such county is hereby abolished. All monies held in the fine and forfeiture fund as of the effective date of this act, or any other monies held as unclaimed witness fees for witnesses appearing before the grand jury of the county or as state's witnesses in criminal cases in the circuit court, county court or other inferior court, shall be paid by the custodian of such fund into the general fund of the county.

Section 2. All claims now registered against or payable out of the fine and forfeiture fund, as prescribed by law, or which may hereafter become due and payable out of such fund, shall be payable from the general fund of the county.

Section 3. After the passage and approval of this act any person subpoenaed as witness before the grand jury of the county in a criminal

case who procures a certificate of attendance as such witness from the foreman of the grand jury shall receive payment on such certificate immediately upon the presentation of same to the custodian of the funds of the county, such payment to be made from the general fund of the county.

Section 4. Any person appearing as a state's witness in a criminal case in the circuit court, county court or other inferior court who procures a certificate of attendance as much witness from the clerk of the court shall receive payment on such certificate immediately upon the presentation of same to the custodian of the funds of the county, such payment to be made from the general fund of the county.

Section 5. Costs and fees in all criminal cases shall continue to be taxed as now provided by law, provided, however, that any fees hereafter collected for State's witnesses in the circuit court, county court or other inferior court shall be paid by the officer collecting same into the general fund of the county and it shall be the duty of the clerk, or other officer, of any of the courts here concerned, upon the passage and approval of this act, to pay over any money held by such officer for the payment of fees of witnesses before the grand jury of state's witnesses in criminal cases in any of the courts here concerned, to the general fund of the county.

Section 6. All laws or parts of laws, local, special, or general, in conflict with the provisions hereof are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, August 2, and August 9, all in the year 1973.

ARTHUR F. SLATON.

Sworn to and subscribed before me August 9, 1973.

LeRUTH G. SLATON,
Notary Public.

Also:

By Mr. Parker:

H. 2059. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Be It Enacted by the Legislature of Alabama:

Section 1. The number of appointed members of the Tuscaloosa City Board of Education is hereby increased from five to seven. The additional two members herein provided shall have the same tenure, appointment, duties, and shall be subject to all provisions for members of municipals boards of education as is provided in Title 52, Sections 151 and 152, Code of Alabama 1949, as amended.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and August 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 3, 1973.

LaJUNE BURNETT,
Notary Public.

Also:

By Messrs. Chesnut and Porter:

H. 2054. To provide clerical assistance for the Deputy District Attorney in counties having populations of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census; to repeal Act No. 197, H. 214, Special Session 1967 (Acts 1967, p. 243), as amended.

Also:

By Messrs. Chesnut and Porter:

H. 2055. To provide an expense allowance for the Deputy District Attorney of counties having a population of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census.

Also:

By Messrs. Culver, Bank, Parker and Robertson:

H. 2063. Relating to counties having populations of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; fixing the fees for issuance of pistol permits by the sheriff of such counties, and providing for the disposition and use of such fees.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 831, 1436, 1593, 1618, 1619, 1620, 1094, 1914, 2027, 2033, 2031, 2034, 2035, 2036, 2037, 2041, 2042, 2043, 2059, 2054, 2055 and 2063. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Therrell:

H. 2048. Relating to all cities having a population of not less than 40,000 nor more than 42,000 according to the last or any subsequent federal decennial census, making certain changes in the employees' pension system.

Also:

By Mr. Coshatt:

H. 2153. Relating to St. Clair County, to provide for the repeal of the property tax that is presently being levied and collected in St. Clair County for the construction and operation of hospitals and health facilities therein, and to set forth certain conditions for the repeal of said tax, including the providing for the holding of a referendum for the purpose of determining if this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County, to provide for the repeal of the property tax that is presently being levied and collected in St. Clair County for the construction and operation of hospitals and health facilities therein, and to set forth certain conditions for the repeal of said tax, including the providing for the holding of a referendum for the purpose of determining if this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The property tax heretofore authorized, as provided for in the 76th amendment to the Constitution of Alabama proclaimed ratified December 21, 1949, and which is presently being collected for the purpose of construction and operation of hospitals and related health facilities in St. Clair County is hereby repealed and this tax shall cease to be levied and collected after which time the outstanding bonds of indebtedness (bonds issued prior to June 1, 1973) are liquidated or refinanced as provided for in the Act legalizing greyhound racing and wagering thereon. Accordingly, the repeal of this tax shall be subject to the legalization of greyhound racing and the wagering thereon in St. Clair County and shall also be subject to approval of electors of the County voting in a referendum as provided herein.

Section 2. The county governing body of St. Clair County shall call and provide for holding a referendum for the purpose of determining if this Act shall become effective. The referendum shall be held on the same date as the referendum on the Act to create the St. Clair County Racing Commission to regulate licensing and supervision of greyhound racing and wagering thereon. This election shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county bond elections. The questions to be voted on shall be stated on the ballots or voting tabs substantially as follows:

"Do you favor the repeal of the hospital tax subject to the provisions of Act No. _____ approved _____, 1973?"

If the majority of the votes cast in this referendum are "Yes" and if greyhound racing and the wagering thereon in St. Clair County becomes legal then the hospital tax is repealed as provided herein. If the majority of the votes cast in the election are "No" or if greyhound racing and the wagering thereon does not become legal in St. Clair County, then this Act shall have no further effect. The Probate Judge of St. Clair County shall certify the results of the referendum to the Secretary of State of Alabama within thirty (30) days after the election returns are canvassed.

Section 3. If any provision, paragraph or part of this Act shall be declared invalid, unconstitutional, or void, the balance of said Act shall remain in full force and effect.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the St. Clair Observer a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks, said notice having appeared in the issues of said paper on July 19, July 26, August 2, and August 9, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me August 13, 1973.

ANNE T. MILAM,
Notary Public.

Also:

By Mr. May:

H. 2157. Relating to Escambia County; dividing Escambia County into two districts for the purpose of electing associate members to the Escambia County Commission; providing for the election of two commissioners for each district and fixing their qualifications and term of office; providing for the manner of electing such commissioner subject to the approval of the electors of the county voting in a referendum thereon.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; dividing Escambia County into two districts for the purpose of electing associate members to the Escambia County Commission; providing for the election of two commissioners for each district and fixing their qualifications and term of office; providing for the manner of electing such commissioners subject to the approval of the electors of the county voting in a referendum thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of electing associate members of the Escambia County Commission, Escambia County is hereby divided into two geographical districts as follows:

Escambia County Commission District No. 1

District No. 1 shall be composed of all that part of Escambia County lying within a line described as follows:

Beginning at the Southeast Corner of Escambia County; Running thence West along the Alabama-Florida State Line to the point where Little Escambia Creek crosses the South line of Section 32, T-1-N, R-9-E; Thence Northwesterly up Little Escambia Creek to the point where it crosses the West line of Section 30, T-1-N, R-9-E; Thence North along the Section lines to the NW Corner of Section 6, T-1-N, R-9-E; Thence East along the Section lines to the SW Corner of Section 35, T-2-N, R-9-E; Thence North along the Section Lines of the

SW Corner of Section 35, T-3-N, R-9-E; Thence West along the Section lines to the SW corner of Section 34, T-3-N, R-8-E; Thence North along the Section lines to the NW Corner of Section 3, T-3-N, R-8-E on the Escambia-Conecuh County line; Thence East along said County line to the point where the Sepulga River crosses the North line of Section 4, T-3-N, R-13-E; Thence down the Sepulga River to its confluence with the Conecuh River; Thence up the Conecuh River to the point where it crosses the East line of Section 25, T-3-N, R-13-E on the Escambia-Covington County line; Thence South along said County line to the SE Corner of Section 36, T-1-N, R-13-E; Thence East to the NE Corner of fractional Section 24, T-6-N, R-25-W; Thence South to the point of beginning.

Escambia County Commission District No. 2

District No. 2 shall be composed of all that part of Escambia County lying within a line described as follows:

Beginning at the point where Little Escambia Creek crosses the South line of Section 32, T-1-N, R-9-E on the Alabama-Florida State line; running Thence West along said State line to the SW Corner of Section 31, T-1-N, R-5-E on the Escambia-Baldwin County line; Thence North along said County line to the point where Little River crosses the West line of Section 7, T-3-N, R-5-E; Thence easterly along Little River to the point where it crosses the North line of Section 5, T-3-N, R-6-E on the Escambia-Monroe County line; Thence East along said County line to the NE Corner of Section 4, T-3-N, R-8-E; Thence South along the Section lines to the NW Corner of Section 3, T-2-N, R-8-E; Thence East along the Section lines to the NE Corner of Section 3, T-2-N, R-9-E; Thence South along the Section lines to the SE Corner of Section 34, T-2-N, R-9-E; Thence West along the Section lines to the NE Corner of Section 1, T-1-N, R-8-E; Thence South along the Section lines to the point where Little Escambia Creek crosses the East line of Section 25, T-1-N, R-8-E; Thence down Little Escambia Creek to the point of beginning.

Section 2. Subject to the approval of the voters of the county at a referendum, hereinafter provided for, successors to the present associate members of the commission whose terms expire in January 1975, shall be elected and the general election to be held in November 1974, and each four years thereafter. One of such members shall be elected by the qualified electors of the county who reside in District No. 1 and one of such members shall be elected by the qualified electors of the county who reside in District No. 2, as such districts are defined in Section 1 of this act.

Successors to the present associate members whose terms expire in January 1977, shall be elected at the general election to be held in November 1976, and each four years thereafter. One of such members shall be elected by the qualified electors of the county who reside in District No. 1 and one of such members shall be elected by the qualified electors of the county who reside in District No. 2, as such districts are defined in Section 1 of this act.

Each candidate for associate member of the Escambia County Commission shall reside in the district he seeks to represent at the time of the election and during his term of office. Upon their election and qualification, such commissioners shall hold office for terms of office of four years each from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified.

Section 3. Nothing in this act shall be deemed to affect the powers, duties and functions of the commission as now or hereafter

provided by law and said commission may appoint one chief clerk and fix his salary, which shall be paid by the county, and may appoint such clerical assistants as may be necessary.

Section 4. The substantive provisions of Section 2 of this act shall become operative and effective only if approved by a majority of the qualified electors of Escambia County who vote thereon at a referendum election called for such purpose and at which the question shall be submitted. The disapproval of the question shall render the provisions of Section 2 of this act inoperative and of no effect but shall affect the division of the county into commissioners districts as provided in Section 1 of this act. The referendum election shall be held and conducted as nearly as may be in the same manner as elections on amendments to the Constitution and shall be held on the same day as the first county wide general or special election in the county next following final passage of this act. If no such election is held in Escambia County prior to January 15, 1974, a special election shall be called and held on that date. Notice of the election shall be given by the judge of probate of the county, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows:

"Do you favor the election of Escambia County Commissioners as provided by Act No. _____ of the Legislature, approved the _____ day of _____ 1973, which provides for their election by voters of the districts they represent? Yes () or No ()."

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or part of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Morrisette, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner and publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, August 2, and August 9, all in the year 1973.

E. R. MORRISSETTE, JR.

Sworn to and subscribed before me Aug. 9, 1973.

MOLLY A. NORRIS,
Notary Public.

My Commission Expires Jan. 21, 1976.

Also:

By Messrs. Pruitt and Manley:

H. 2158. Relating to Sumter County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Sumter County shall be entitled to keep and retain the allowances payable by the state for feeding prisoners.

Section 2. The provisions of this Act shall be retroactive to January 18, 1971, and all actions taken by the sheriff in accordance with the provisions of this Act are hereby validated and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David T. Poynor, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Home Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18th, and 25th, and August 1st, and 8th, all in the year 1973.

DAVID T. POYNOR, JR.

Sworn to and subscribed before me August 10, 1973.

IRA D. PRUITT,
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 2159. To enlarge the corporate limits of the town of Cuba, Alabama, located in Sumter County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To enlarge the corporate limits of the town of Cuba, Alabama, located in Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Cuba in Sumter County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, certain land lying and being in Sumter County and more particularly described as follows:

From the Southeast corner of the Northeast Quarter of Section 27, run North along the East line of said Northeast Quarter of Section 27 to the Northeast corner of Section 27, which point is also the Southwest corner of Section 23; thence East along the South line of Section 23 to the Southeast corner of the West Half of Section 23; thence North along the East line of the West Half of Section 23 and the East line of the West Half of Section 14 to the Northeast corner of the West Half of Section 14; thence West along the North line of Section 14, the North line of Section 15, and the North line of the Northeast Quarter of Northeast Quarter of Section 16 to the Northwest corner of the East Half of East Half of Section 16; thence South along the West line of the East Half of East Half of Section 16, the West line of the East Half of East Half of Section 21, and the West line of the East Half of the Northeast Quarter of Section 28 to the Southwest corner of the East Half of Northeast Quarter of Section 28; thence East along the South line of the East Half of Northeast Quarter of Section 28 and the South line of the Northeast Quarter of Section 27 to the point of the beginning.

All of the above lands lie in Township 17 North, Range 4 West, Sumter County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David T. Poynor, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive

weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 18th and 25th of July and 1st and 8th of August, all in the year 1973.

DAVID T. POYNOR, JR.

Sworn to and subscribed before me August 10, 1973.

IRA D. PRUITT,
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 2160. Applicable to Sumter County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Sumter County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Applicable to Sumter County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any foreign medical graduate residing within this state and wishing to practice medicine as a licensed physician in Sumter County, who has met all other requirements with the exception of the Educational Counsel for Foreign Medical Graduates (ECFMG), now required by the State Board of Medical Examiners, shall have two alternative means by which to obtain a certificate. Such means shall be as follows:

(a) Said graduate may apply for and take the Federation Licensing Examination (FLEX), sponsored by the Federation of State Medical Boards of the United States. Upon making such application to the State Board of Medical Examiners, the said State Board of Medical Examiners must grant the application to said applicant. If the graduate scores a grade consistent with the requirements of the Licensing Board of the Federation of State Medical Boards of the United States, then he must be licensed to practice medicine in this state.

(b) Said graduates may take the test known as the Educational Counsel for Foreign Medical Graduates (ECFMG), and if a passing score is achieved, then he must be allowed to take the Federation Licensing Examination as provided in subsection (a) above.

No rules or regulations promulgated by the state Medical Association or any of its subdivisions shall prevent such foreign graduates from selecting the above stated alternative he deems to be in his best interest.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David T. Poynor, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Home Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4th, 11, 18th and 25th of July, all in the year 1973.

DAVID T. POYNOR, JR.

Sworn to and subscribed before me August 10, 1973.

IRA D. PRUITT,
Notary Public.

Also:

By Messrs. Lutz, Grainger, Hearn, King and Hale:

H. 2061. Pertaining to Madison County, to set standards for judicial officers in said County for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

Pertaining to Madison County, to set standards for judicial officers in said County for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Madison County.

Section 2. Release prior to trial.

(a) Any person in Madison County charged with an offense shall, at his appearance before a magistrate, be ordered released pend-

ing trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the magistrate, unless the magistrate determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the magistrate shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

(1) place the person in the custody of a designated person or organization agreeing to supervise him;

(2) place restrictions on the travel, association, or place of abode of the person during the period of release;

(3) require the execution of an appearance bond in a specified amount of the deposit with the clerk of the court, in cash or other security as directed, of a sum not to exceed 10 per cent of the amount of the bond, 90 per cent of such deposit to be returned upon the performance of the conditions of release;

(4) require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; or

(5) impose any other condition deemed reasonable necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

(b) In determining which conditions of release will reasonably assure the appearance of a person as required, the magistrate shall, on the basis of available information as presented by the state or its representative, take into account such matters as the nature and circumstances of the offense charged, the weight of the evidence against the person, his family ties, employment, financial resources, character, and mental condition, past conduct, length of residence in the community, record of convictions, and any record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings. The magistrate shall, in making such factual determinations, bear in mind that this Act has two purposes, one of which is to assure the presence of the defendant at trial and the other of which is to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, or pending appeal, when detention serves neither the ends of justice nor the public interest.

(c) A magistrate authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation, and shall warn such person of the penalties provided in Section 3.

(d) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release.

(e) If it is determined that custody or detention pursuant to section 1(a) (5) is required, all time spent in custody or detention shall count as part of any sentence to hard labor for the County or confinement in the county jail subsequently received by the person detained as a result of the charge or charges for which he was arrested and detained.

Section 3. Penalties for failure to appear.

(a) Whoever, having been released pursuant to this Act, willfully fails to appear before any court or magistrate as required, shall incur a forfeiture of any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, be guilty of a misdemeanor and be fined not more than \$5,000 or imprisoned for not more than one year, or both, or (2) if he was released in connection with a charge of misdemeanor, be guilty of a misdemeanor and be fined not more than the maximum provided for such misdemeanor or imprisoned for not less than ninety days and not more than one year, or both.

(b) Failure to appear after notice of the appearance date shall be prima facie evidence that the failure to appear is willful. Whether the person was warned when released of the penalties for failure to appear shall be a factor in determining whether the failure to appear was willful.

(c) This section applies to a defendant even if he has not received actual notice of the appearance date if (1) reasonable efforts to notify the defendant have been made, and (2) the defendant, by his own actions, has frustrated the receipt of actual notice.

Section 4. Sanctions for violation of release conditions.

(a) A person who has been conditionally released pursuant to section 1 and who has violated a condition of release shall be subject to revocation of release and to prosecution for contempt of court.

(b) Proceedings for revocation of release may be initiated on motion of the district attorney. A warrant for the arrest of a person charged with violating a condition of release may be issued by a magistrate and the person shall be brought before a magistrate in the county. No order of revocation shall be entered unless, after a hearing, the magistrate finds that there is clear and convincing evidence that the person has violated a condition of his release due to inattention, negligence, or by act of will.

(c) Contempt sanctions may be imposed if, upon a hearing and in accordance with procedures applicable to criminal contempt, it is established that the person has intentionally violated a condition of his release. The contempt proceedings shall be expedited and heard by the court without a jury. A person found guilty of contempt for violation of a condition of release shall be imprisoned for not more than six months, or fined not more than \$1,000, or both.

Section 5. Sanctions for committing serious offenses while on release.

(a) A person who has been conditionally released pursuant to section 1 and as to whom there is probable cause to believe he has committed a felony while released shall be subject to revocation of release.

(b) Proceedings for revocation of release may be initiated on motion of the district attorney. No order of revocation shall be entered unless, after a hearing, the magistrate finds by clear and convincing evidence that (1) a State or Federal magistrate, judge, judicial officer, or grand jury has found probable cause to believe that the person has committed a felony and (2) such felony was committed while the person was released on the prior charge.

Section 6. Contempt.

Nothing in this Act shall interfere with or prevent the exercise by any court of Alabama of its power to punish for contempt.

Section 7. Definitions.

As used in sections 1-5 of this Act, the term "magistrate" means, unless otherwise indicated, any circuit judge or equivalent thereof in the Twenty-third Judicial Circuit, any probate judge in Madison County, any county court judge or judge of any other court created in lieu thereof, or city recorder or equivalent thereof in Madison County, any magistrate in Madison County created for the purpose of setting conditions of release prior to trial.

Section 8. The provisions of this Act are severable, and if any part hereof is declared invalid or unconstitutional, such declaration shall not effect the remaining parts thereof.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

**STATE OF ALABAMA
MADISON COUNTY**

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 19, 26, August 2 and 6, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 6th day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. King, Grainger, Hale, Lutz and Hearn:

H. 2135. Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MADISON**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall be interpreted and applied in a manner to fulfill the following purpose: that each citizen of Madison County may make application to register to vote at any time the county courthouse is open for business.

Section 2. There is hereby authorized the following position and duties. Such position may be filled by any qualified person now employed by the county or hired for this specific position, except that the merit system shall set the compensation in accordance with such merit system regulations.

Section 3. The Madison County Board of Registrars are authorized to meet the number of days now provided by law and to receive and pass on applications for registration submitted by deputy registrars. Members of board of registrars may not act as deputy registrars or receive compensation as deputy registrars.

DEPUTY REGISTRARS.

(1) The board of registrars is empowered to designate one or more deputy registrars who shall serve in such capacity as the board directs. Designation to serve as deputy registrar will be in writing and cover a specified period of time, not to exceed one year without redesignation. The instrument empowering deputy registrars shall be approved by a majority of each county board, and filed as a public record by each board of registrars.

(2) Each deputy registrar shall take the oath required of registrars.

(3) Deputy registrars shall be empowered to administer oaths and shall authenticate his acts with his personal signature and the words "Deputy Registrar". A circular seal with his name, the name of the county, and the words "Deputy Registrar" may be used for this purpose at the discretion of the appropriate board of registrars, provided such seal is not used as a substitute for the deputy registrars authenticating signature.

(4) Deputy registrars may take applications at the places and times in the county designated by the board of registrars.

(5) Applications to register to vote made before deputy registrars are not intended to substitute for a personal appearance before the board registrars. If the board of registrars can not determine the qualifications of an applicant from the application, then the applicant shall not be rejected for registration but shall be called before the board of registrars to make a determination of qualifications. The board of registrars must specify in writing on each application the reason for requiring the applicant to appear before it.

(6) Any person performing the duties of deputy registrar may be removed at any time with or without cause, by the board of registrars.

(7) The provision of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

(8) This act shall be cumulative and shall not be construed to repeal any existing laws.

(9) This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the The Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, July 30, August 6, and August 13, all in the year 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me August 13, 1973.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Agee and McCorquodale:

H. 2162. Relating to counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, providing an additional expense allowance for the chairman and members of the governing bodies of such counties.

Also:

By Mr. Collins:

H. 877. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census, so as to allow probate judges of such counties to store a copy of the records of the probate court at a place, selected by said judge, outside the State, in order to protect such records from fire, natural disaster, civil disorder, nuclear attack, or other destruction.

Also:

By Mr. Collins:

H. 2091. To authorize and provide for the collection of an additional application or issuance fee to be charged by the License Commissioners, Judges of Probate, Directors of Revenue, or other public officers performing like duties relating to the application or issuance of motor vehicle licenses, motor vehicle license transfers, drivers licenses or permits, business or professional licenses and the transfer of business licenses in all counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census, provided however, that no affidavit fee of twenty-five cents presently

prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

Also:

By Mr. Collins:

H. 2098. To amend Act No. 342, Section 1 on Page 632 of the 1971 Acts of Alabama, "to PROVIDE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census." This amendment to provide for an increase in the mail fee for motor vehicle license tags issued by mail in counties having a population of not less than 300,000 nor more than 500,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2048, 2153, 2157, 2158, 2159, 2160, 2061, 2135, 2162, 877, 2091 and 2098. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. McDonald:

H. 2111. Relating to Marshall County, Alabama; relating to The Official Court Reporter for the County Court of Marshall County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of the State of Alabama for the passage, approval and enactment into law of substantially the following:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County, Alabama; relating to The Official Court Reporter for the County Court of Marshall County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. To amend Section 1 of Act No. 98, approved December 22, 1971, so that said Section reads as follows: "That the Judge of said Court shall by order, spread upon the minutes, appoint a competent person as the official court reporter for said court. Such official Court Reporter, when so appointed, may be removed by the Judge of said Court at his discretion. His qualifications, duties and powers shall be

the same as reporters of the circuit courts of the state. Said official court reporter shall receive the same rate of compensation for transcribing the testimony, or other proceedings, as are now provided for said circuit court reporter, but, shall, as a salary, receive not less than \$4,800.00 annually, and not more than \$6,600.00 annually as set by the judge of said court payable out of the general funds of the county. The services of said reporter, when not actually working under the direction of the judge of said court, shall be available to the circuit clerk in the discharge of his duties in this court."

Section 2. If any clause, sentence, paragraph or section of this act shall for any reason be adjudged by any court of competent jurisdiction, to be invalid, unconstitutional, or otherwise unlawful, such judgment shall not affect, impair, or invalidate any other portion of this act, but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which judgment shall be granted.

Section 3. This act shall become effective immediately upon its passage by the Legislature, and approval by the Governor, or upon its otherwise becoming law.

PUBLISHER'S AFFIDAVIT

Notice—A Bill to be entitled an act relating to the official Court Reporter of Marshall County.

Before the undersigned authority personally appeared Johnnie Couch who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for five successive weeks in the issue or issues of said paper dated July 12, 16, 26, August 2 & 7 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit.

JOHNNIE COUCH.

Subscribed and sworn to before me this 10th day of August 1973.

ALICE WELLS HARVEY,
Notary Public.

My Commission expires Mar. 8, 1976.

Also:

By Messrs. Smith (P) and McCluskey:

H. 2112. Relating to Talladega County, fixing the salary of the Tax Assessor of such county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Talladega County, fixing the salary of the Tax Assessor of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the Tax Assessor of Talladega County shall be \$12,500 per annum, payable out of the county treasury as other salaries are paid.

Section 2. Such salary shall be the entire compensation payable to such officer, and no such officer shall receive any fees after such salary takes effect, except that such officer may be reimbursed for actual expenses as provided for by Act No. 2097, H. 1582, Regular Session 1971 (Acts 1971, p. 3364).

Section 3. All laws or parts of laws which conflict with this act are hereby repealed and Act No. 518 H. 982, Regular Session 1951 (Acts 1951, p. 908) and Act No. 519, H. 983, Regular Session 1951 (Acts 1951, p. 908) are expressly repealed.

Section 4. The compensation under this act shall become effective as to the above mentioned officer upon the expiration of the term of office of the incumbents of such office.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 23, July 30, and August 6, all in the year 1973.

LENA ROBINSON.

Sworn to and subscribed before me this 6th Day of August, 1973.

ZELL S. COPELAND,
Notary Public.

Also:

By Messrs. Smith (P) and McCluskey:

H. 2113. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

After completion of publication hereof, as required by the constitution and laws of the State of Alabama, the following local act will be introduced for passage in the Legislature of Alabama:

AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama, be, and the same are hereby, extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory. Beginning at the south east corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section 6, Township 19 South, Range 6 East, and run westerly a distance of two miles along the south boundary lines of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 6, the North Half (N $\frac{1}{2}$) of Section 1, Township 19 South, Range 5 East, and the Northeast Quarter (NE $\frac{1}{4}$) of Section 2, Township 19 South, Range 5 East, to the southwest corner of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 2; thence southerly a distance of one-half mile along the east boundary line of the Southwest Quarter (SW $\frac{1}{4}$) of Section 2, Township 19 South, Range 5 East, to the south boundary line of said Section 2; thence westerly a distance of one mile to the southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 3, Township 19 South, Range 5 East; thence northerly along the west boundary line of the Southeast Quarter of Section 3 a distance of one-fourth mile to the southeast corner of the North Half of the Southwest Quarter of Section 3; thence westerly along the south boundary line of the North Half of the Southwest Quarter of Section 3 and the south boundary line of the North Half of the Southeast Quarter of Section 4, and the south boundary line of the North Half of the Southwest Quarter of Section 4 to point where said south boundary line intersects the center line of Talladega Creek in the Southwest Quarter of Section 4; thence northwesterly along the center line of said Talladega Creek as it meanders through Sections 4 and 5 to a point where the center line of said Talladega Creek intersects the west boundary line of the East Half of Section 5; thence northerly along the west boundary line of the East Half of Section 5, Township 19 South, Range 5 East, and along the west boundary line of the East Half of Sections 32, 29 and 20, Township 18 South, Range 5 East, to the northwest corner of the Southwest Quarter of the Northeast Quarter of Section 20; thence easterly along the north boundary line of the South Half of the Northeast Quarter of Section 20 a distance of one quarter of a mile to the southwest corner of the Northeast Quarter of the Northeast Quarter of Section 20; thence northerly along the west boundary line of the Northeast Quarter of the Northeast Quarter of Section 20 a distance of one quarter of a mile to the northwest corner of the Northeast Quarter of the Northeast Quarter of Section 20; thence westerly along the north boundary line of Section 20 a distance of one quarter of a mile to the southwest corner of the Southeast Quarter of Section 17; thence northerly along the west boundary line of the Southeast Quarter of Section 17 a distance of one quarter of a mile to the northwest corner of the Southwest Quarter of the Southeast Quarter of Section 17; thence easterly along the north boundary line of the South Half of the Southeast Quarter of Section 17 and of the South Half of South Half of Section 16 and 15 a distance of approximately two and one tenth (2.1) miles to the point where said north boundary line intersects the east right-of-way line of the Jackson Trace Road; thence northerly a distance of one quarter of a mile to a point on the north boundary of the Southeast Quarter of Section 15, said point being 1,950 feet west of the east boundary line of Section 15; thence easterly along the north boundary line of the Southeast Quarter of Section 15 a distance of 975 feet to a point; thence North 2 degrees 32 minutes 30 seconds East a distance of 348.59 feet; thence South 87 degrees 27 minutes 30 seconds East a distance of 525.0 feet; thence South 2 degrees 32 minutes 30 seconds West a distance of 348.59 feet; thence South 87 degrees 27 minutes 30 seconds East a distance of 450.0 feet to the northeast corner of the Southeast Quarter of Section 15; thence southerly along the east boundary line of Section 15 a distance of 1541.6 feet, more or less, to the southern most point of the U. S. Gov-

ernment Reservation for Coosa River Ordinance plant; thence North 64 degrees 03 minutes 30 seconds East along the southeastern boundary line of said U. S. Government Reservation a distance of 1419.93 feet to a point; thence North 25 degrees 48 minutes 30 seconds West a distance of 535.98 feet to a point; thence North 64 degrees 11 minutes 30 seconds East a distance of 950.0 feet to a point; thence South 25 degrees 48 minutes 30 seconds East a distance of 318.0 feet to a point; thence North 64 degrees 11 minutes 30 seconds East a distance of 684.0 feet, more or less, to a point on the N-S half section line of Section 14; thence northerly along said N-S half section line of Section 14 and along the N-S half section line of Section 11 a distance of three quarters of a mile to the south boundary line of the North Half of the South Half of Section 11; thence westerly along said south boundary line a distance of one-half mile to the west boundary line of Section 11; thence northerly along said west boundary line and along the west boundary line of Section 2 a distance of one and three-quarters miles to the northwest corner of Section 2, said corner being located on the north boundary line of Township 18 South; thence easterly along said township line a distance of two and one-half miles to the northeast corner of the Northwest Quarter of Section 6, Township 18 South, Range 6 East; thence southerly along the east boundary line of said Northwest Quarter of Section 6 a distance of one-eighth of a mile to the southeast corner of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of said Section 6; thence, easterly parallel with the north boundary line of Township 18 a distance of one-half mile to the east boundary line of Section 6; thence southerly along the east boundary line of Section 6 a distance of seven-eighths of a mile to the southeast corner of said Section 6; thence southwesterly in a straight line a distance of 2950 feet, more or less, to the southeast corner of the Southwest Quarter of the Northeast Quarter of Section 7; thence southerly along the east boundary line of the Northwest Quarter of the Southeast Quarter of Section 7 a distance of one-fourth mile to the southeast corner of said Northwest Quarter; thence westerly along the south boundary line of the North Half of the South Half of said Section 7 a distance of three-quarters of a mile to the east boundary line of Section 12; thence southerly along the east boundary line of Sections 12 and 13 a distance of one mile to the northwest corner of Southwest Quarter of Southwest Quarter of Section 18, Township 18 South, Range 6 East; thence easterly along the north boundary line of South Half of South Half of Section 18, a distance of one-half mile to northeast corner of Southeast Quarter of Southwest Quarter of Section 18; thence southerly along the east boundary line of Southwest Quarter of Section 18 and the east boundary line of West Half of Sections 19, 30 and 31, Township 18 South, Range 6 East, and the east boundary line of the Northwest Quarter of Section 6, Township 19 South, Range 6 East, a distance of three and three-quarter miles to the southeast corner of the Northwest Quarter of Section 6, the point of beginning.

The above described boundary line being the corporate limits of the City of Talladega, Alabama, and including all lands lying within the above described boundary line.

SECTION 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 3. This Act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1973.

LENA ROBINSON.

Sworn to and subscribed before me 18th Day Of July, 1973.

ZELL S. COPELAND,
Notary Public.

Also:

By Messrs. Smith (P) and McCluskey:

H. 2115. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

Also:

By Mr. Hardin:

H. 2116. To establish the Butler County Court of Common Pleas in lieu of the Inferior Court of Butler County and to abolish said inferior court; to provide for the jurisdiction, officers, sessions, practice and procedure, and costs of the court herein created; to provide for appeals from said court; to provide for the first judge of said court and for the election and term of his successors in office; to prescribe the qualifications and compensation of the judge; and to repeal conflicting laws and to repeal specifically Act No. 27, H. 213, Regular Session 1951 (Acts 1951, p. 235), and all amendments thereto.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To establish the Butler County Court of Common Pleas in lieu of the Inferior Court of Butler County and to abolish said inferior court; to provide for the jurisdiction, officers, sessions, practice and procedure, and costs of the court herein created; to provide for appeals from said court; to provide for the first judge of said court and for the election and term of his successors in office; to prescribe the qualifications and compensation of the judge; and to repeal conflicting laws and to repeal specifically Act No. 27, H. 213, Regular Session 1951 (Acts 1951, p. 235), and all amendments thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. Court established. As of January 20, 1975 there is hereby established in Butler County a court with county-wide limited jurisdiction of criminal cases and civil actions, as hereinafter provided, which court shall not be a court of record. The court shall be known as the Butler County Court of Common Pleas. It shall be in lieu of the Inferior Court of Butler County, Alabama, which court shall be abolished on January 20, 1975, and in lieu of all justice of the peace courts of the county heretofore abolished.

Section 2. Jurisdiction. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases (including bastardy proceedings, and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved), cognizable before the circuit court, or a county court, or the juvenile court, or courts created in lieu of justice of the peace courts and all courts of like jurisdictions. It shall have authority to exercise general superintendence of all courts heretofore or hereafter created in lieu of justice courts, and to punish contempts by fine not exceeding fifty dollars (50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or of any civil action when the matter or sum in controversy exceeds \$500.00, nor take cognizance of any matter or proceeding in equity, except suits involving the custody of children.

(c) The judge of the court shall have and exercise preliminary jurisdiction in felony cases, and the clerk and the clerk's deputy shall have power to take complaints and issue warrants in preliminary proceedings commenced in said court.

Section 3. Judge. (a) The first judge of the Butler County Court of Common Pleas shall be elected in the general election to be held in 1974 and every four (4) years thereafter.

(b) The term of the judge of the court herein established shall be for four years from the first Monday after the second Tuesday in January next succeeding his election and until his successor is elected and qualified.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Butler County, learned in the law, and has been licensed to practice law in this State for two years. The judge and his partner shall not practice law in the court herein established, nor participate in any case appealed from such court, but they shall be free to practice in all other courts and engage in the general practice of law. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary of \$7,200 payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunctions and ne exa exeat; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits involving the custody of children.

(f) The judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps, and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

Section 4. Sessions. (a) Sessions of the court shall be held at the county courthouse, and the court shall be open at all times for the transaction of business. A regular session shall be held at least once each month, at a time to be fixed by the judge, for the trial of criminal cases, and another regular session shall be held at least once each month, at a time to be fixed by the judge, for the trial of civil cases. Special sessions may be held at such times as the judge shall designate in orders spread upon the minutes. Sessions may continue so long as may be necessary for the court to complete its business.

(b) The sheriff shall attend the sessions of the court in person or by deputy and shall receive the same compensation therefor which he is now allowed for attending sessions of the inferior court of the county and of the circuit court. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

Section 5. Practice and Procedure. (a) The court shall have three divisions, namely, law, criminal and juvenile. Except as otherwise provided in this act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days.

Section 6. Juries. The court shall not draw, organize, or empanel grand or petit juries. The Judge shall decide all issues of fact without the intervention of a jury.

Section 7. Costs. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs for the use of the officers of the court other than the judge, whose fees shall be paid to the county, as follows:

(1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00), the same as in inferior courts; (2) in every other civil action at law, the same as in the circuit court; (3) in each criminal case involving an offense of which inferior courts established in lieu of justice of the peace courts have final jurisdiction, the same as in inferior courts; (4) in every other criminal case, the same as in county courts.

(c) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00). In every other civil action at law, and in every criminal case, a trial tax of three dollars (\$3.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

Section 8. Criminal Prosecutions. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the clerk, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) The county solicitor shall, without additional compensation, prosecute for the State all criminal cases commenced in such court. In the event the county solicitor is absent or disqualified, the judge shall appoint a special prosecutor, who shall be paid twenty-five dollars (\$25.00) for each day he is called upon to serve.

Section 9. Appeals. Any party aggrieved by judgment, order, or ruling of the court may appeal the decision as herein provided. (1) If the case is a civil case, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the Code of 1940. (2) If the case arises under the Court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the Code of 1940. (3) In every other criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code.

Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. Clerk. (a) The Clerk of the Circuit Court of Butler County shall be ex officio clerk of the court herein established. He shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk to keep all the records, files, and documents of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgements and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bonds in civil and criminal cases; (4) to en-

ter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of the circuit courts.

Section 12. Transfer of Pending Cases. All cases and actions pending in the Inferior Court of Butler County, Alabama, on the effective date of this act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 13. Severability. The provisions of this act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 14. Repealer. All laws in conflict with this act are repealed, and Act No. 27, H. 213, Regular Session 1951 (Acts 1951, p. 235), and all amendments thereof are hereby specifically repealed.

Section 15. Effective Date. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA,
COUNTY OF BUTLER**

Personally appeared before me, Pauline B. Fulton, a Notary Public in and for said State and County, W. E. Hardin, who, being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the city of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of July 19, July 26, August 2, and August 9, 1973.

W.E.HARDIN

Sworn to and subscribed before me, this 9th day of August, 1973.

PAULINE B. FULTON,
Notary Public.

Also:

By Mr. Hardin:

H. 2117. To amend Act No. 324, H. 872, Regular Session 1957 (Acts 1957, p. 429), which act provides an expense allowance for the County Solicitor of Butler County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

**STATE OF ALABAMA
COUNTY OF BUTLER**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 324, H. 872, Regular Session 1957 (Acts 1957, p. 429), which act provides an expense allowance for the County Solicitor of Butler County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 324, H. 872, Regular Session 1957 (Acts 1957, p. 429), is hereby amended to read as follows:

"Section 1. The court of county commissioners, board of revenue, or like governing body of Butler County is hereby authorized and directed to provide for the payment from the general fund of the county, and to pay from said fund to the County Solicitor of Butler County, the additional sum of one hundred dollars (\$100.00) per month to cover the expenses incurred by the County Solicitor in maintaining his office, and in the performance of his duties. Such expense in said amount shall be paid on requisitions signed by the County Solicitor."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Hardin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Greenville Advocate, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, August 2nd and August 9, 1973

W. E. HARDIN.

Sworn to and subscribed before me August 9, 1973.

PAULINE B. FULTON,
Notary Public.

Also:

By Messrs. Flippo and Hill:

H. 2121. Amending Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421), relating to the sheriff's department of Lauderdale County, so as to remove the maximum number of deputies that can be hired.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Amending Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1621), relating to the sheriff's department of Lauderdale County, so as to remove the maximum number of deputies that can be hired.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421) is hereby amended to read as follows:

"Section 1. In lieu of the deputies and assistants heretofore authorized by law the sheriff of Lauderdale County shall appoint:

"(a) one chief deputy, and not less than eight deputies in addition to the chief deputy, the exact number of such deputies to be determined by the county governing body. The chief deputy shall receive not less than \$550 nor more than \$750 monthly and each other deputy shall receive not less than \$500 nor more than \$650 monthly;

"(b) one or more secretaries, at the discretion of the county governing body, who may be deputies but shall not be included in the number of deputies authorized in subsection (a) above. Such secretary, or secretaries shall receive not less than \$400 nor more than \$500 monthly;

"(c) two or more jailers, at the discretion of the county governing body, who may be deputies, but shall not be included in the number of deputies authorized by subsection (a) above. Such jailers shall receive not less than \$500 nor more than \$600 monthly.

"The exact amount of compensation of each of such deputies, jailers and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county as the salaries of other county employees are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: STATE OF ALABAMA COUNTY OF LAUDERDALE A BILL TO BE ENTITLED AN ACT Amending Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421),

relating to the sheriff's department of Lauderdale County, so as to remove the maximum number of deputies that can be hired. as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 7, 14, 21, 28, 1973.

BILL HARRISON.

Sworn to before me this 28th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Messrs. Hill and Flipppo:

H. 2126. Relating to Lauderdale County; setting the compensation of certain county officials.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County, setting the compensation of certain county officials:

Be It Enacted by the Legislature of Alabama:

Section 1. The annual compensation of certain officials of Lauderdale County shall be as follows:

(A) Probate Judge	\$18,000
(B) Circuit Clerk	\$16,200
(C) Tax Assessor	\$15,000
(D) Tax Collector	\$15,000
(E) Circuit Court Register	\$13,100

Section 2. All other provisions of any Act providing for annual compensation of said officials are expressly repealed.

Section 3. The provisions of this Act shall become effective October 1, 1973.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Ala-

bama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: A BILL TO BE ENTITLED AN ACT Relating to Lauderdale County; setting the compensation of certain county officials. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: Section 1. The annual compensation of certain officials of Lauderdale County shall be as follows: (A) Probate Judge.....\$18,000, (B) Circuit Clerk.....\$16,2000, (C) Tax Assessor.....\$15,000, (D) Tax Collector.....\$15,000.

as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 19, July 26, August 2, 9, 1973.

BILL HARRISON.

Sworn to before me this 9th., day of August 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Messrs. Flippo and Hill:

H. 2127. To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave allowances the same as is provided teachers.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave allowances the same as is provided teachers.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Board of Education is hereby authorized to establish such rules and regulations pertaining to sick leave and annual leave for employees, other than teachers, of the Board of Education in said County so that such employees shall enjoy the same leave allowances and privileges as teachers.

Section 2. All laws or parts of laws which conflict with this act as repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: STATE OF ALABAMA COUNTY OF LAUDERDALE A BILL TO BE ENTITLED AN ACT To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave.

as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 7, 14, 21, 28, 1973.

BILL HARRISON.

Sworn to before me this 28th., day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Mr. Grey (D):

H. 2118. To amend Section 1 of Act No. 116, H. 98, Regular Session 1971 (Acts 1971, p. 395), an act relating to counties having populations of not less than 14,000 nor more than 15,000, fixing the fee for issuance of a pistol permit, so as to increase such fee.

Also:

By Messrs. Hill and Flippo:

H. 2125. Relating to counties having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing a monthly expense allowance for the chairman and members of the county commission.

Also:

By Mr. Warren:

H. 2129. Relating to counties having populations of not less than 15,625 nor more than 15,850 according to the most recent federal decennial census; providing foreign medical graduates an alternative method by which to become certified to practice medicine within such counties.

Also:

By Mr. Stubbs:

H. 2131. To increase the annual salary to the Tax Assessor, Tax Collector, Probate Judge, Judge of the Inferior Court, the Circuit Clerk and Sheriff in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census beginning October 1, 1973 for the Tax Assessor and Tax Collector and on the date of the beginning of the next term of office for the Probate Judge, Judge of the Inferior Court, the Circuit Clerk and Sheriff.

Also:

By Mr. Stubbs:

H. 2132. To authorize the county governing body of each county having a population of not less than 37,000 and not more than 39,000 according to the most recent federal decennial census to adopt a resolution and thereby authorize all polling places to remain open between the hours of 8 a.m. and 7 p.m. at all state and local elections held within such counties.

Also:

By Mr. Stubbs:

H. 2133. Relating to Shelby County; to amend Act No. 1886, Regular Session, 1971 (Acts 1971, p. 3071), providing for protection against forest fires and assessing the cost against forest lands so as to increase the assessment and to exempt from the assessment the first one hundred sixty acres owned by any one owner.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Shelby County; to amend Act No. 1886, Regular Session, 1971 (Acts 1971, p. 3071), providing for protection against forest fires and assessing the cost against forest lands so as to increase the assessment and to exempt from the assessment the first one hundred sixty acres owned by any one owner.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 1886, Regular Session, 1971 (Acts 1971, p. 3071), is hereby amended to read as follows:

"Section 2. (a) After the Shelby County Governing body has determined that such a need does exist in Shelby County, the county governing body may, in the manner hereinafter specified, provide for a

financial charge or tax to be paid by the owners of forest lands located in Shelby County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program, but not in excess of ten cents per acre on each acre in excess on one hundred sixty acres owned by any one owner, provided such financial charge or tax is not greater than the benefit accruing to such forest lands due to the availability of such fire protection.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mildred Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Assoc-Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1973.

MILDRED WALLACE.

Sworn to and subscribed before me Aug. 14, 1973.

CONRAD M. FOWLER,
Probate Judge.

Also:

By Mr. Stubbs:

H. 2134. Relating to the City of Montevallo, to provide for an election to permit the sale of alcoholic beverages in Montevallo within one mile of the University of Montevallo.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the City of Montevallo, to provide for an election to permit the sale of alcoholic beverages in Montevallo within one mile of the University of Montevallo.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the effective date of this act the mayor or chief executive officer of the City of Montevallo must call an election for the city to determine the sentiment of the people as to whether alcoholic beverages can be legally sold or distributed within one mile of the University of Montevallo. The election shall be held and the officers appointed to hold the same shall be appointed in the manner provided by law for holding other city elections, and the returns thereof shall be tabulated and the results certified as provided by law for the municipal elections. The election shall be held within not less than 30 days, nor more than 45 days, from the effective date of this act and notice thereof shall be given by the city clerk by publication once a week for at least three weeks before the date of said election, in a newspaper of general circulation in the city or, if there be none, by posting such notice at the city hall. Such notice shall apprise the voters of the city that an election will be held in such city to determine whether or not alcoholic beverages may be legally possessed, sold and distributed within one mile of the University of Montevallo. The cost of such election, including the cost of notice by publication shall be paid out of city funds. On the ballot to be used for such election the question shall be in the following form: "Do you favor the legal sale and distribution of alcoholic beverages within one mile of the University of Montevallo? Yes . . . No . . ." Only qualified voters shall vote in said election. If a majority of the electors voting in said election, vote "Yes" then the provisions of Section 2 shall apply. If a majority of the electors voting in said election vote "No" then the provisions of Section 2 shall not apply.

Section 2. It shall be lawful to sell alcoholic beverages within one mile of the boundary of the campus or grounds of any institution of higher learning located in the City of Montevallo, but not within 300 feet of the campus of the University of Montevallo. Provided that the provisions of this section shall apply only so long as the sale of intoxicating beverages in Shelby County is legal.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration, shall not affect the part which remains.

Section 5. This act shall take effect on the first day of the first month following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mildred Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Assoc-Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1973.

MILDRED WALLACE.

Sworn to and subscribed before me August 8, 1973.

CONRAD M. FOWLER,
Probate Judge.

Also:

By Mr. Coshatt:

H. 2136. To provide that this act shall apply to each county of the State having a population of not less than 27,900 nor more than 33,500 according to the last or any subsequent federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restriction on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables; or to impose restrictions on the sale, or service of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama 1940, as now or hereafter amended.

Also:

By Messrs. Robertson, Parker, Culver and Bank:

H. 2143. To authorize and provide for a commercial fisherman's helper for certain such fishermen; to provide for the issuance of permits to such helpers; to prescribe the fees for such permits; to provide for their collection and distribution; and to prescribe penalties for violations of this act.

Also:

By Mr. Coshatt:

H. 2137. Relating to counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to regulate and control the occupancy of any new or existing building or structure of enclosure where people reside, work, gather or otherwise congregate until the drinking water, plumbing, septic tanks and all pit toilets for the property have been approved by the Sanitarian of the county; to make it unlawful for any public utility, company, board, commission, corporation or individual to make available for use on such property electricity, water or other public service until a cer-

tificate of occupancy is issued by the Sanitarian of the county; to provide for appeal to the circuit court by the occupant or owner of such property from the decision of the Sanitarian of the county; to provide that any violation of this act shall constitute a misdemeanor; and, to prescribe penalties.

Also:

By Messrs. Adams and Brassell:

H. 2145. Relating to counties having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; allowing the governing bodies to pay two additional deputies, two jailers, and a bookkeeper for the months of July and August of 1973.

Also:

By Mr. Grey (D):

H. 2151. To amend further Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended, which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis, so as to increase such fee.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2111, 2112, 2113, 2115, 2116, 2117, 2121, 2126, 2127, 2118, 2125, 2129, 2131, 2132, 2133, 2134, 2136, 2137, 2145 and 2151. To the Committee on Local Legislation No. 1.

H. B. 2143. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Reed (T):

H. 2078. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county, and to provide for the severability of the parts, sections and provisions of the Act.

Also:

By Mr. Snell:

H. 311. To amend Sections 5 and 6 of Act No. 29, H. 43, Special Session 1970, (Acts 1969-70, Vol. III, p. 2630), which relates to the establishment of Water, Sewer, and Fire Protection Districts in the several counties, to allow staggered terms of office for its directors so as not to affect any other district now in operation.

Also:

By Messrs. Bank, Robertson, Parker, Turnham and Grainger:

H. 295. To amend Title 52, Section 341, Code of Alabama, 1940, to provide that the county or city superintendent may excuse a teacher from attendance at institute held prior to the beginning of the school term and to further provide that when such absence is due to sickness the teacher may be granted sick leave in accordance with policies governing such leave on any regularly scheduled work day.

Also:

By Messrs. Casey, Bank and Lyons:

H. 1202. Relating to mental health, enacting the Interstate Compact on mental health; providing for the interstate movement of patients; defining terms; providing for the treatment of or transfer of patients between states, regardless of residence, if such transfer would be beneficial to the patient; describing the obligation of the sending and receiving states; providing that the state is not obligated to accept a patient from another state unless agreed to in advance; providing for the payment of costs of transfer; providing for aftercare or supervision; prescribing a procedure to handle the escape of dangerous patients; providing for the transfer of any patient through states; providing for the continuation of legal guardianship responsibilities and allowing the appointment of supplemental or substitute guardians; providing that this Act does not apply to any person institutionalized while under sentence in a penal or correctional institution or while subject to trial on a criminal charge; providing for a compact administrator; providing for supplemental agreement; prescribing a method for withdrawal from the compact:

Also:

By Messrs. Crawford, Lyons and Connell:

H. 832. To amend Sections 1 and 5 of Act No. 21, H. 28, as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from said tax; to delete the phrase "other than by a municipality or other municipal entity organized by a utility" in Section 1, and to add new Sections (h) and (i) to Section 5 of Act 21.

Also:

By Messrs. Crawford, Lyons and Connell:

H. 833. To further amend the title and Section 1 of Act No. 756, H. 733, enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include, in connection with any industry for the manufacturing, processing or assembling of any agricultural or manufactured products, facilities for producing industrial water for use in connection with the operation of such industry.

Also:

By Mr. Collins:

H. 1346. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section VIII of Act No. 470, H. 952 of the Regular Session of 1939 (Local Acts 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County, Alabama, is hereby amended to read as follows:

Section VIII. The Board shall elect and fix the salary of the Director who shall hold office at the will of the Board. The Board shall prescribe such qualifications as to residence, education and experience as may be necessary in its opinion to fill the position of Director. His salary shall be fixed by the Personnel Board provided such salary shall not exceed the sum of Eighteen Thousand Dollars (\$18,000.00) per annum. The Director's salary shall be payable monthly and as provided in Section 30 hereof. The Director, as executive head of the Department, shall direct and supervise all its administrative and technical activities. It shall be his duty to (1) Attend all meetings of the Board and provide for recording its official actions, but he shall not have a vote. (2) Appoint from the Employment Register such employees of the Department, and such experts and special assistants as may be necessary to carry out effectively the provisions of this Act; (3) Prepare and recommend rules and regulations for the administration of this Act. (4) Recommend, and on its adoption, establish, administer and execute a Classification Plan for the Classified Service. (5) Submit to the Board a pay plan for all positions in the classified service. (6) Conduct tests, formulate employment registers, and certify persons qualified for appointment; devise and administer employee service ratings. (7) Examine all payrolls or other compensation for personal services within the classified service with authority to disapprove, from time to time, and any item or items thereof, and no such item so disapproved in writing by him shall be paid or authorized for payment. (8) Establish and maintain a roster of all of the officers and employees in the classified service.

(9) Make such reasonable investigations pertaining to personnel, salary scales, and employment conditions in the classified service as may be requested by the Board, the Supervisory Committee or by the governing bodies of the county or any city therein. (10) Make investigations concerning the administration and effect of this Act and the rules made thereunder and report his findings and recommendations to the Board. (11) Make an annual report to the Board. (12) Perform any other act or acts required of him under this Act or required of him by the Board which may be necessary or proper to carry into effect its purposes and spirit. The Director may join or subscribe to any association or service or publication having as its purpose the interchange or dissemination or information relating to the improvement of personnel administration. When any person serving as Director has attained age 60, and has served for 20 years or more as such Director, or has served for 20 years or more as such Director and as an officer or employee of any governmental body or agency serviced by the Personnel Department provided for in this Act, may upon his election be retired by the Board, with a retirement allowances equal to but not exceeding fifty percent of the amount of the monthly salary paid him for the high five out of the ten years immediately preceding retirement. In computing such retirement allowance any monthly payment received from any employees' pension or retirement plan organized under the laws of the State of Alabama shall first be deducted from the retirement allowance and the balance shall be payable monthly in the same manner and from the same funds as the salaries and other expenses of the Personnel Department are paid. The minimum age for retirement of any person serving as Director shall be 60 years; provided, that it shall be mandatory for any person serving as Director to retire at 70 years of age; provided further, than any person serving as Director who has attained age 50, who has otherwise qualified for retirement, may be retired by the Board if he becomes physically disabled and incapable of performing his duties.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 7, June 14, June 21, and June 28, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me July 3, 1973.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Therrell:

H. 1895. Authorizing marriages to be solemnized by certain persons in addition to those persons now authorized by law in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Also:

By Messrs. Stokes and Nettles:

H. 741. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of one Grand Jury Bailiff; to prescribe his duties, to fix his term of employment and to prescribe his compensation and provide for the payment of his compensation out of the General Fund of the County.

Also:

By Messrs. Downing, Stokes, Callahan, Roberts and Perloff:

H. 2062. Relating to counties having a population of not less than 300,000 and not more than 500,000 according to the last Federal Decennial Census; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such counties.

Also:

By Messrs. Robertson and Culver:

H. 685. To amend Act No. 1434, S. 769, Regular Session 1971 (Acts 1971, p. 2459), an act relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the Civil Service Boards of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2078, 1346, 1895, 741, 2062 and 685. To the Committee on Local Legislation No. 1.

H. B.'s 311, 832 and 833. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 295. To the Committee on Education.

H. B. 1202. To the Committee on Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turner and Cottingham:

H. 632. To appropriate the sum of \$30,000 for each of the fiscal years ending September 30, 1974 and September 30, 1975 out of the State General Fund to the Geological Survey of Alabama.

Also:

By Mr. Gafford:

H. 3. To amend Section 1 of Act No. 2128, S. 5, 1971 Regular Session approved September 20, 1971, entitled "To provide sales and use

tax exemptions for certain medicines purchased by prescription," so as to extend the tax exemption to persons who are retired due to permanent and total disability, regardless of age, and to give the Commissioner of the State Department of Revenue certain duties and powers in connection therewith.

Also:

By Mr. Gafford:

H. 4. To amend the Code of Alabama 1940, Title 51, Section 15, as amended, relating to the exemption of homesteads from State ad valorem taxes, so as to provide additional exemptions for persons who are retired due to permanent and total disability, regardless of age, and to give the State Commissioner of Revenue certain powers and duties in connection therewith.

Also:

By Mr. Burgess:

H. 1037. To provide for the licensing and regulation of certified social workers and social workers; to establish and define the duties and powers of the State Board of Social Work Examiners; to make violation of this Act a misdemeanor, and prescribe a penalty therefor.

Also:

By Messrs. Agee and Roberts:

H. 672. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; to provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this state shall cover and include the services performed by podiatrists under this act; amending Section 1, 8, 10, 11, 15 and 17 of Act. No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 632. To the Committee on Finance and Taxation.

H. B.'s 3, 4 and 672. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1037. To the Committee on Health.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Barkett:

H. 1447. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Ala-

bama in principal amount not exceeding (\$3,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of The Army.

Also:

By Messrs. Barkett, Roberts, Lyons, Reed (T), Connell, Crawford, Mims, Snell, Adams, Ellis, McDonald, Grainger, King, Hale, Nettles, Callahan, Waggoner and Easters:

H. 1338. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of The Army; creating the Alabama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Also:

By Mr. Turnham:

H. 1154. To amend further Sections 1, 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provisions of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans.

Also:

By Messrs. St. John, Parker, Robertson, Bank, Culver, Merrill, Manley, Cauthen, Hill and Drake:

H. 1912. To authorize the Alabama Public School and College Authority to sell and issue \$7,500,000 aggregate principal amount of additional bonds to provide for the acquisition, construction, reconstruction, improvement, alteration and equipment of buildings and other facilities at The University of Alabama located in Tuscaloosa, Alabama, for public legal educational and allied purposes, including law research and revision, law enforcement training, public service, continuing legal education, and clinical law training and for facilities for the Communications sciences; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority

for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1447, 1338 and 1154. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1912. To the Committee on Finance and Taxation.

(The above Bill, H. B. 1447, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and sends same herewith to the Senate:

S. 119. Relating to counties having populations of not less than 110,000 nor more than 150,000, according to the 1970 or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties.

Also:

S. 237. To provide for a system of self-indexing of all land transfer instruments recorded in probate offices in counties having a population of not less than 115,000 nor more than 150,000 persons according to the last or any subsequent Federal Decennial Census.

Also:

S. 543. To create and establish offices of Deputy District Attorney No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit, and to provide for the appointment and for the duties and compensation of such offices.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hill, Flipppo, Headley, Stubbs, Naramore, Slate, Carter, Goodwin, Reynolds and Owens:

H. 1022. To establish a Community Service Agency within the Executive Office of the Governor; to authorize said agency to analyze the human service needs in all areas not specifically assigned to another state agency; to cooperate with other state agencies, regional planning and development commissions, local governing bodies, public and private non-profit corporations, and other private and public agencies in the development and implementation of a delivery system for human serv-

ices; to authorize said agency to award grants and contracts for the administration of human service programs, which may be funded from federal, state, regional, local and private sources.

Also:

By Mr. Robertson:

H. 684. To amend Title 52, Section 63, Code of Alabama 1940, as amended, which relates to the membership on county boards of education, so as to change the population bracket in the proviso providing that not more than two classroom teachers may serve on said county board in an advisory capacity only and shall be elected by the classroom teachers of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1022. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 684. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Culver, Bank, Dill, Timmons, Downing and Adwell:

H. 1299. To provide for city elections on the question of legal sales and distribution of alcoholic beverages in dry counties.

Also:

By Messrs. King, Hearn, Hale and Lutz:

H. 1425. To amend Section 3 of Act No. 476, H. B. 627, Regular Session 1955 (Acts 1955, p. 1084), as amended, which section relates to the compensation of the deputy district attorney of the Twenty-third Judicial Circuit, so as to further regulate the compensation of said deputy district attorney.

Also:

By Messrs. Grainger, Lutz, King and Hale:

H. 1404. To transfer certain historic property commonly referred to as "Constitution Park" and located in Huntsville, Madison County, Alabama, owned by the State of Alabama, or any department or entity thereof, to the Alabama Historical Commission.

Also:

By Mr. Grainger:

H. 357. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

- H. B. 1299. To the Committee on Judiciary.
- H. B. 1404. To the Committee on Public Buildings and Grounds.
- H. B. 357. To the Committee on Conservation.
- H. B. 1425. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Boles and Hughes:

H. 1878. To amend Sections 279, 280, 282, 283, 284, 285, 288 and 289 of Title 62 of the Code of Alabama of 1940.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

- H. B. 1878. To the Committee on Health.

ADOPTION OF RESOLUTIONS

The Resolutions:

- S. J. R. 91. HONORING JOHN SYDNEY COOK, III.

Also:

S. J. R. 92. COMMENDING PAUL DAVIS FOR HIS OUTSTANDING WORK IN THE FIELD OF JOURNALISM.

Also:

S. J. R. 100. COMMENDING MISS GLADYS MARONA FOR A JOB WELL DONE.

Also:

H. J. R. 187. PROCLAIMING NOVEMBER 1, 1973, "FRANK PARK SAMFORD DAY".

were again read and, on motion of Mr. Bailes, were adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 1732. To amend Section 6 of Act Number 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County

providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Baker	Givhan	McLain	Vacca	
Carr	Harris	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

S. 805. To provide for two deputy district attorneys for the 27th judicial circuit and their compensation and appointment.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Gilmore	Malone	Register	
Carr	Harris	Melton	Shelby	
Cook	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

S. 780. To authorize the district attorney of the Ninth Judicial Circuit to appoint one full-time and one part-time deputy district attorney, and to prescribe their duties; to fix their compensation and the manner of its payment.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Gilmore	Lybrand	Register	
Carr	Givhan	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 779. To authorize the district attorney of the Thirty-Eighth Judicial Circuit to appoint a part-time deputy district attorney, and to prescribe his duties; to fix his compensation and the manner of its payment.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Baker	Gilmore	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Clark	Hawkins	Malone	Vacca	
Dominick	Horne	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1684. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Carr	Harris	Noonan	Wilder	
Clark	Hawkins	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1880. To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Baker	Foshee	Littleton	Pelham	
Branyon	Gilmore	Lybrand	Register	
Clark	Givhan	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1845. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to impose certain additional privilege or license taxes upon the sale of malt or brewed beverages in certain areas of said counties, and to provide for the collection and distribution of said taxes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Givhan	Lybrand	Register	
Clark	Harris	Malone	Weaver	
Cook	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1747. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Baker	Harris	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1730. Relating to Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent Federal Decennial Census; to provide for the Clerk of Circuit Court in such Counties to collect Commission on Judgments, except on Garnishments, where the Judgments are collected by said Clerk after Ninety (90) days from the date of rendition.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	Littleton
Bailes	Dozier	Hawkins	Lybrand
Branyon	Edington	Jones	Malone
Carr	Fine	King	Noonan
Cook	Givhan	Lindsey	O'Bannon

Pelham	Shelby	Wilder	Wilson	
Pierce	Vacca			—25
Nays:				—0

The Bill:

H. 1746. To provide that a judge, or former judge, of the County Court of counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census may elect to become a supernumerary judge of said court under certain conditions; to provide for the duties, authority and compensation of any such supernumerary judge.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Baker	Harris	Lybrand	Register	
Branyon	Hawkins	Malone	Shelby	
Clark	Horne	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilson	—25
Dozier	King			
Nays:				—0

The Bill:

S. 880. To create the office of supernumerary county commissioner in all counties with a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Hawkins	Noonan	Vacca	
Clark	Jones	O'Bannon	Weaver	
Cook	King	Owen	Wilson	—25
Dozier	Lindsey			
Nays:				—0

The Bill:

H. 1801. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and deputy circuit clerk of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pierce
Bailes	Fine	Lybrand	Register
Baker	Gilmore	McLain	Shelby
Branyon	Harris	Melton	Weaver
Carr	Horne	Noonan	Wilder
Clark	Jones	Owen	Wilson
Cook	King		

—25

Nays:

—0

The Bill:

H. 1803. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Foshee	Lybrand	Pierce
Baker	Givhan	McLain	Shelby
Carr	Hawkins	Melton	Vacca
Clark	Jones	O'Bannon	Wilder
Cook	King	Owen	Wilson
Dozier	Lindsey		

—25

Nays:

—0

The Bill:

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Baker	Givhan	Lybrand	Shelby
Branyon	Hawkins	Melton	Weaver
Clark	Horne	Noonan	Wilder
Cook	Jones	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1807. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Melton	Register	
Carr	Givhan	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cook	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 892. To amend Section 3 of Act No. 530, H. 1096, Regular Session 1959 (Acts 1959, p. 1305), so as to further provide for voter re-identification in all counties in the state having a population of 500,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1965 (Acts 1956, p. 328), as amended relating to Courts of General Session of Mobile.

was taken up.

Mr. Noonan offered the following amendment to the Bill, H. B. 644, to-wit:

AMENDMENT TO H. B. 644

Amend H. B. 644 by striking in line 2 of the title the year 1965 and substituting in lieu thereof the year 1956.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	Owen	Wilder	
Edington	King			—25

Nays: —0

And said Bill, H. B. 644, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Baker	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Horne	Noonan	Weaver
Dominick	Jones	Owen	Wilder
Edington	King		

—25

Nays:

—0

The Bill:

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1575, to-wit:

COMMITTEE AMENDMENT TO H. B. 1575

Amend House Bill 1575 by inserting new Sections 4 and 5 at the end of Section 3 and renumbering the present Section 4 as Section 6 and renumbering the remaining sections. The new Sections 4 and 5 shall read as follows:

Section 4. Any judge becoming eligible for supernumerary status under the provisions hereof who is also a member of The General Retirement System for Employees of Jefferson County shall not be entitled to receive benefits under both the provisions hereof and said retirement system, but must make an election as to whether he will become a supernumerary judge under the provisions hereof, such election to be made prior to his receiving benefits under this Act.

Section 5. Any judge who is a member of said retirement system who elects to come under the provisions of this Act shall be paid, upon application therefor, the full amount of his deposits and contributions to the fund of said retirement system, less one-half any disability benefits paid to him thereunder. He shall not receive any interest for the period during which his deposits and contributions remain in said fund.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Melton	Vacca
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	Owen	Wilson
Dozier	King		

—25

Nays:

—0

And said Bill, H. B. 1575, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1592, to-wit.

COMMITTEE AMENDMENT TO H. B. 1592

Amend H. B. 1592 in Section 1 by deleting the figures "\$30.00" and inserting in lieu thereof the figures "\$27.50".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

And said Bill, H. B. 1592, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Carr, further consideration of the Bill, S. B. 781, was indefinitely postponed by the Senate.

On motion of Mr. Register, further consideration of the Bill, H. B. 1734, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 277. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 277, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 277

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Be It Enacted by the Legislature of Alabama:

Section 1. In any counties having a population of not less than 110,000 and not more than 150,000 according to the last or any subsequent federal decennial census, any office of Legal Stenographer of the District Attorney of such county which has heretofore been established and provided for is hereby made subject to the civil service or merit system Act of such county. The salary of such office shall not be changed by this Act, except as hereinafter provided. Immediately upon passage and approval of this Act, the District Attorney shall appoint a competent, qualified person to the office of Legal Stenographer of the District Attorney of such county, such Legal Stenographer to have civil service status and be removable by the District Attorney only for cause in accordance with the civil service or merit system of such county. However, any subsequent vacancy in such office shall be filled in the

manner of vacancies in other offices covered by the civil service or merit system of such counties. Such Legal Stenographer shall be empowered and authorized to appear before Grand Jury sessions in such counties for the purpose of reporting or recording the testimony of witnesses appearing before such Grand Jury sessions, and shall do so at such times as may be deemed desirable by the District Attorney of such counties.

Section 2. The county governing body in such counties is hereby authorized to establish and provide for a position of Assistant Legal Stenographer of the District Attorney of such county. Such Assistant Legal Stenographer shall assist the Legal Stenographer of the District Attorney of such county in the conduct of the duties and responsibilities of that office and shall act as such officer in the absence of such officer, and shall act under the direction of the District Attorney and of said Legal Stenographer in carrying out such duties. The Assistant Legal Stenographer shall be empowered and authorized to appear before Grand Jury sessions in such counties for the purpose of reporting or recording the testimony of witnesses appearing before such Grand Jury, and shall do so at such times as may be deemed desirable by the District Attorney of such county.

The District Attorney of such county shall, subject to the civil service or merit system Act of such county, appoint such Assistant Legal Stenographer, whose compensation shall be established by the civil service or merit system board of such county, which shall be paid by the county governing body of such county as salaries of other employees and officers of such county are paid.

Section 3. When from time to time the Assistant Legal Stenographer of the District Attorney shall receive an increase in pay, then at the same time the salary paid by the county to the Legal Stenographer of the District Attorney shall be increased by the same amount.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Baker	Fine	Littleton	Pelham
Branyon	Foshee	McLain	Pierce
Carr	Givhan	Malone	Shelby
Clark	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilder
Dozier	Jones		
			—25
Nays:			—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 1615. To apply to all counties having populations of 500,000 or more inhabitants according to the last or any subsequent federal decennial census; to provide and require that in the condemnation of lands for ways and rights of ways for sewer lines and water lines the value of any enhancement to the remaining lands of such owner or owners that such sewer line or water line may cause shall be applied to reduce or offset the value of any land or right-of-way taken or damages to the remainder for the construction of such sewer line or water line.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

H. 1621. To grant to any Civic Center Authority now or hereafter incorporated in any County having a population of more than 500,000, according to the last or any subsequent Federal census, organized under the provisions of Act No. 547, enacted by the Legislature of Alabama at its 1965 Regular Session and approved August 20, 1965 (Acts of 1965, pp. 797, et seq.) as amended, the power and authority to borrow money, to issue as evidence of its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the re-funding thereof by the issuance of notes or bonds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Gilmore	McLain	Register	
Clark	Harris	Malone	Shelby	
Cook	Hawkins	Melton	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1780. To amend Section 2 of Act No. 965, H. 1396, Regular Session 1969 (Acts 1969, p. 1710) which provides for the salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census; so as to further provide for such salary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	Lybrand	Register	
Branyon	Gilmore	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1824. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, p. 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Gilmore	Littleton	Register
Baker	Givhan	McLain	Shelby
Carr	Harris	Malone	Vacca
Clark	Hawkins	Melton	Wilder
Cook	Jones	O'Bannon	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 1868. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction of otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designated or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Branyon	Harris	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Jones	Owen	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 1886. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

S. 885. To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and Mobile home parks situated outside the corporate limits of any municipality in the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Fine	Lybrand	Register	
Branyon	Foshee	Malone	Vacca	
Carr	Givhan	Melton	Weaver	
Clark	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 886. To establish a Civil Service System for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Register
Carr	Givhan	Malone	Vacca
Clark	Harris	Melton	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 887. To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Register	
Baker	Foshee	McLain	Vacca	
Carr	Givhan	Melton	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 892. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Baker	Gilmore	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King			—25

Nays:

—0

The Bill:

S. 893. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

S. 895. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal de-

cennial census; providing an annual expense allowance for the sheriff of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 924. Relating to any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; further regulating the expense allowances of the tax assessor and tax collector.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Register	
Baker	Foshee	McLain	Vacca	
Carr	Gilmore	Malone	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1752, to-wit:

SENATE LOCAL LEGISLATION #2 COMMITTEE AMENDMENT
TO H. B. 1752

Amend Section 1 of H. B. 1752 by deleting the words and figures "twenty-one thousand five hundred dollars (\$21,500)" and insert in lieu thereof "nineteen thousand four hundred and twenty-five dollars (\$19,425)".

Further amend Section 1 of H. B. 1752 by deleting the words and figures "twenty-three thousand dollars (\$23,000)" and insert in lieu thereof "twenty-one thousand ninety dollars (\$21,090)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	King			—25

Nays: —0

And said Bill, H. B. 1752, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1852, to-wit:

COMMITTEE AMENDMENT TO H. B. 1852

Amend Section 1 of H. B. 1852 by deleting the words and figures "Twenty-Five Thousand Dollars (\$25,000.00)" and insert in lieu thereof the words and figures "Nineteen Thousand Five Hundred and Twenty Dollars (\$19,520.00)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Dozier	Givhan
Bailes	Cook	Fine	Hawkins
Baker	Dominick	Gilmore	Horne

Jones	Lybrand	Pelham	Vacca	
King	McLain	Register	Weaver	
Lindsey	Noonan	Shelby	Wilson	
Littleton	O'Bannon			—25

Nays: —0

And said Bill, H. B. 1852, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Baker	Givhan	Lybrand	Shelby	
Clark	Hawkins	McLain	Vacca	
Cook	Horne	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 925. Pertaining to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; establishing, subject to a referendum, a Charter Commission for the purpose of proposing a Charter for the consolidation of such counties and the municipalities situated therein; fixing the powers and duties of said Commission, providing for its membership and the payment of expenses.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Shelby	
Carr	Givhan	Melton	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 926. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Foshee	Jones
Baker	Dozier	Gilmore	Lindsey
Carr	Edington	Givhan	Littleton
Cook	Fine	Hawkins	Lybrand

Malone	Owen	Shelby	Weaver	
Noonan	Pelham	Vacca	Wilson	
O'Bannon	Pierce			—25

Nays: —0

The Bill:

S. 927. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Pierce	
Carr	Givhan	McLain	Register	
Clark	Harris	Malone	Shelby	
Cook	Horne	Noonan	Vacca	
Dozier	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

S. 928. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Gilmore	McLain	Pierce	
Carr	Givhan	Malone	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 929. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Cook	Dozier
Baker	Clark	Dominick	Edington

Fine	Jones	O'Bannon	Shelby	
Gilmore	Lindsey	Owen	Vacca	
Givhan	Lybrand	Pelham	Wilder	
Hawkins	McLain	Register	Wilson	
Horne	Melton			—25

Nays: —0

The Bill:

S. 930. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Fine	Littleton	Pierce	
Baker Gilmore	Lybrand	Register	
Carr Givhan	McLain	Shelby	
Clark Harris	Malone	Vacca	
Cook Horne	Noonan	Wilder	
Dozier Jones	Owen	Wilson	
Edington King			—25

Nays: —0

The Bill:

S. 931. Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Edington	King	O'Bannon	
Bailes Fine	Lindsey	Pierce	
Baker Foshee	Littleton	Shelby	
Branyon Givhan	McLain	Vacca	
Clark Harris	Melton	Weaver	
Dominick Horne	Noonan	Wilson	
Dozier Jones			—25

Nays: —0

The Bill:

H. 1445. To amend Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama, so as to provide further for certain fees and costs of court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pelham	
Baker	Givhan	Lybrand	Register	
Carr	Harris	McLain	Vacca	
Clark	Hawkins	Malone	Weaver	
Cook	Horne	Melton	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1556. To amend further Act No. 56, H. 285, Regular Session, 1953 (Act 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to re-define terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Foshee	Littleton	Pelham	
Baker	Givhan	McLain	Pierce	
Branyon	Harris	Malone	Shelby	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1654. To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Baker	Foshee	Lybrand	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1779. Relating to all counties having a population of not less than 38,100 nor more than 40,500, according to the most recent federal

decennial census; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Register	
Carr	Gilmore	Malone	Vacca	
Clark	Givhan	Melton	Weaver	
Cook	Harris	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1888. To require that all district attorney's fees taxed and collected in all reciprocal support cases in the Twenty-Third Judicial Circuit shall be paid into the District Attorney's Fund of the county composing such circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	McLain	Shelby	
Branyon	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

was taken up.

Mr. Shelby offered the following amendment to the Bill, H. B. 1300, to-wit:

AMENDMENT TO H. B. 1300, AS AMENDED

In Section 1 of the bill strike out the words and figures in Section 4 of Act No. 1292, H. 1795, (Acts 1971, p. 2220) as they appear in the amendment as follows:

"Said deputy commissioner shall be paid an annual compensation equal to 72½ percent of," and insert in lieu thereof the following:

Said deputy commissioner shall be paid an annual compensation of one thousand dollars (\$1,000.00) less than

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Pierce	
Carr	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

And said Bill, H. B. 1300, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones	Owen		—25

Nays: —0

The Bill:

H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

was taken up.

Mr. Malone offered the following amendment to the Bill, H. B. 1843, to-wit:

AMENDMENT TO H. B. 1843

Amend Section 5 of H. B. 1843 to read as follows:

Section 5. In all counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, all elected or appointed county officials shall receive an expense allowance in accordance with the provisions of Sections 6, 7 and 8 of this act to cover the expenses associated with their offices. "Elected or appointed county officers" is to be interpreted so as to include persons who might otherwise be considered state officers and whose salaries are paid fully or partially by the state, but who are elected by or appointed by persons elected by the electors of such counties and whose salaries are set by local act or by general act of local application. "Elected or appointed county officers" shall not be interpreted to include the county superintendent of education, members of the county board of education, or any employee of the county board of education, nor shall same be deemed to include any attorney, en-

gineer, architect or other professional consultant employed on a part time basis by any county board or body, or the members of any appointed board. There shall be a conclusive presumption of law that there is a reasonable relationship between the allowances received in accordance with the provisions hereof and the expenses associated with the offices of the persons receiving such allowances.

Amend Section 8 of H. B. 1843 by deleting the "period" at the end thereof and substituting in lieu therefor the following:

"; provided further, that in the event that a general act increasing the state salary of circuit judges should pass during the 1973 Regular Session, then circuit judges shall receive no allowance of any kind pursuant to the provisions of this act, nor shall the county judge, district attorney or probate judge."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Baker	Harris	Lybrand	Register	
Carr	Hawkins	Malone	Shelby	
Clark	Horne	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 1843, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Baker	Harris	Lybrand	Register	
Carr	Hawkins	Malone	Shelby	
Clark	Horne	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1909. Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the Clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Vacca	
Carr	Harris	Melton	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1916. To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Givhan	Malone	Register	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 876. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Baker	Fine	Lindsey	Pelham	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1362. Applying to Cullman County; to increase the expense allowance of certain county officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Lybrand	Register
Baker	Givhan	McLain	Shelby
Carr	Harris	Melton	Vacca
Cook	Horne	O'Bannon	Weaver
Dominick	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1485. Relating to the twenty-seventh judicial circuit; to provide for an expense allowance of \$3,600.00 per year to the district attorney of said judicial circuit to be supplemented by any county located in said district, in addition to any regular compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Lybrand	Pelham
Baker	Foshee	Malone	Register
Carr	Givhan	Melton	Shelby
Cook	Horne	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1836. To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce
Bailes	Foshee	McLain	Shelby
Baker	Givhan	Melton	Vacca
Carr	Horne	Noonan	Weaver
Clark	Jones	O'Bannon	Wilder
Cook	King	Owen	Wilson
Dozier	Lindsey		

—25

Nays:

—0

The Bill:

H. 1828. To prohibit, in any county having a population of 600,000 or more according to the most recent federal decennial census, the

occupancy of any building or structure any part of which is situated upon real property which abuts or joins that part of a street, alley, public way or right of way within which is situated pipes or mains of an approved public water supply system and which is not directly connected to water mains or pipes of an approved public water supply system; and to prohibit, in such counties, the sale or distribution of insanitary, impure or unwholesome water.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Harris	Melton	Register	
Clark	Hawkins	Noonan	Vacca	
Cook	Jones	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Pelham	
Bailes	Foshee	Lybrand	Register	
Baker	Gilmore	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Jones	Owen	Wilson	
Dominick	King			—25

Nays:

—0

The Bill:

H. 401. To amend Act No. 880, H. 675 of the Regular Session of 1965 which applies in all counties having populations of 60,000 or more according to the 1960 federal decennial census and special courts where probation services for juvenile delinquents is not now provided by the Department of Pensions and Security and regulates the expenditure of state and county funds to pay for the cost of the salaries of juvenile court probation officers in such counties, and makes an appropriation therefor, amending such Act so as to make such Act apply to counties having populations of 59,000 or more according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Givhan	Malone	Vacca
Clark	Harris	Melton	Weaver
Cook	Horne	Noonan	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 273. To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 p. 356) Entitled "An Act To Fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Carr	Hawkins	Malone	Vacca
Cook	Horne	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 411. To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register
Baker	Gilmore	McLain	Shelby
Carr	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	King	Pelham	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and

to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Sections 827 (1) thru and including Section 827 (6), as last amended, of Title 7 of the Code of Alabama shall apply to and govern procedures in such courts.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1128, to-wit:

COMMITTEE AMENDMENT TO H. B. 1128

In the title to H. B. 1128 delete the reference to Sections 827(1) - 827(6) of Title 7, Code of Alabama 1940, and insert in lieu thereof the cite Act No. 461, H. 76, Regular Session 1943, (Acts 1943, p. 423).

In the body of H. B. 1128 strike the following wherever it appears "Section 827(1) to and including Section 827(6) of Title 7 of the Code of Alabama (as Recompiled 1958)" and insert in lieu thereof the following: Act No. 461, H. 761, Regular Session 1943 (Acts 1943, p. 423).

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Harris	Melton	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Jones	Owen	Weaver	
Dominick	King	Pelham	Wilson	
Edington	Littleton			—25

Nays: —0

And said Bill, H. B. 1128, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Harris	Melton	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Jones	Owen	Weaver	
Dominick	King	Pelham	Wilson	
Edington	Littleton			—25

Nays: —0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 119. Relating to counties having populations of not less than 110,000 nor more than 150,000, according to the 1970 or any subsequent

federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties.

Also:

S. 237. To provide for a system of self-indexing of all land transfer instruments recorded in probate offices in counties having a population of not less than 115,000 nor more than 150,000 persons according to the last or any subsequent Federal Decennial Census.

Also:

S. 543. To create and establish offices of Deputy District Attorney No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit, and to provide for the appointment and for the duties and compensation of such offices.

Also:

S. 277. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF S. R. 96

The Senate proceeded to consideration of the Resolution:

S. R. 96. REPEALING S. R. 95

The question was on the motion of Mr. Fine, made on the Thirty-First Legislative Day, that the Senate reconsider the vote by which the Resolution, S. R. 96, was lost; said motion was then adopted, and the Senate reconsidered said vote.

And the Resolution, S. R. 96, was then adopted by the Senate.

Yeas 20; Nays 8.

Yeas:

Messrs.:	Horne	Melton	Register
Carr	Jones	Noonan	Shelby
Clark	Lindsey	Owen	Weaver
Fine	Littleton	Pelham	Wilder
Foshee	Malone	Pierce	Wilson
Givhan			

—20

Nays:

Messrs.:	Edington	Harris	King
Bailes	Gilmore	Hawkins	Lybrand
Dominick			

—8

BILLS RE-REFERRED

Mr. Harris moved that, in accordance with Senate Rule 50, the Bill, H. B. 1361, be recalled from the Standing Committee on Local Legislation No. 1 and re-referred to the Standing Committee on Finance and Taxation, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 1361, re-referred to the Standing Committee on Finance and Taxation.

RESOLUTIONS

Mr. Harris offered the following Senate Joint Resolution, to-wit:

S. J. R. 101. CREATING AN INTERIM COMMITTEE TO STUDY THE LAWS OF THIS STATE RESPECTING THE DISTRIBUTION OF ALL LAW BOOKS, JOURNALS, REPORTS AND PAMPHLET ACTS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study the laws of this state respecting the distribution of all law books, journals, reports and related materials. Such committee shall be composed of three members of the Senate, to be appointed by the President of the Senate and three members of the House, to be appointed by the Speaker of the House. The committee shall meet as soon as practicable after the approval date of this resolution and select a chairman from among its members. It shall meet at such subsequent time or times upon the call of the chairman.

It shall be the duty of the committee to study particularly the existing provisions of law contained in Code of Alabama 1940, Title 55, Chapter 5, Article 2, respecting the duties of the Secretary of State to distribute or dispose of copies of the acts, journals, codes, reports, other books and documents; to determine the necessity of distributing such books and documents to each such state officer, department or agency named in said article; to consider the desirability of distribution to other or additional officers, departments or agencies; to determine the number of such books or documents which should be distributed to each recipient thereof; and said committee, may in its discretion, consider the order of priority in which such distribution shall be made.

Said committee shall also consider the existing provisions of law contained in Code of Alabama 1940, Title 55, Section 140 (1), respecting the number of acts and resolutions which shall be printed in pamphlet form and distributed to certain state officers, departments and agencies; and may, in its discretion, consider the order of priority in which such distribution shall be made.

In making its study, the committee may seek and receive the cooperation of the State Budget Officer and the Director of the Legislative Reference Service.

Members of the committee shall receive no compensation for their services but shall be entitled to their regular legislative pay and expenses. All such pay and expenses of the committee shall be paid out of funds appropriated for the use of the legislature, but in no case shall such sum exceed a total of \$5,000.

The committee shall report its findings, conclusions and recommendations to the legislature not later than the tenth legislative day of its next regular session, whereupon the committee shall be dissolved.

Which was read and referred to the Standing Committee on Rules.

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 102. BE IT RESOLVED BY THE SENATE That the following bills be made a special, paramount and continuing order of business, taking priority over all other bills on the calendar, and taking priority over the regular order of business until disposed of:

Bill No.	Page No.	
1. S. B. 353	72	Bail Bond Reform
2. S. B. 245	25	Boxing and Wrestling Commission
3. S. B. 658	76	Bi State Compact (Superport)
4. S. B. 642	75	Bi State Reciprocal (Superport)
5. S. B. 515	170	Pipeline (Superport)
6. S. B. 516	170	Pipeline (Superport)
7. S. B. 311	82	Management and development Alabama coastal areas (Superport)
8. S. B. 261	31	Leased property bill
9. S. B. 262	32	Leased property bill
10. S. B. 263	32	Leased property bill
11. S. B. 286	144	Non Merit - Industrial Development Employees

And said Resolution was then adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham
Bailes	Gilmore	Lindsey	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Harris	McLain	Shelby
Clark	Hawkins	Malone	Weaver
Dominick	Horne	Melton	Wilder
Edington	Jones	Owen	Wilson
Fine			

—28

Nays:

—0

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Bill:

S. 336. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation

of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration of rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

Mr. Pelham offered the following substitute for the Bill, S. B. 336, to-wit:

SUBSTITUTE FOR SENATE BILL 336

A BILL TO BE ENTITLED AN ACT

To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of facts pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. A State Commission on Salaries hereby is established for the purpose of assisting the Legislature of Alabama in setting the salaries or compensation of constitutional state officers (but not county officers), justices and judges of state courts (but not of county courts), and the following state officers, offices and positions: Administrator, Alcoholic Beverage Control Board; Commissioner of Corrections; Commissioner of Revenue; Commissioner of the State Department of Pensions and Security; Director of Conservation; Director of Development; Director of Finance; Director of Industrial Relations; Director of Labor; Director of Publicity; Director of Public Safety; Director of State Docks; Executive Secretary to the Governor; Governor's Legal Adviser; Highway Director; Pardon & Parole Board; Public Service; Commission; Securities Commissioner; State Health Officer; State Mental

Health Officer; Superintendent of Banks; Superintendent of Education; Superintendent of Insurance; the Adjutant General; the Governor's Press Secretary; and members of the Legislature.

Where the words, "officers, offices or positions", or any one of them hereinafter appear in this Act, it is intended to include all officers, justices, judges, offices and positions mentioned or listed or referred to in this Section.

Where the words, "constitutional state officers" or similar words appear herein, it is intended to include only those officers listed in Section 116 of the Constitution of Alabama and Admendment No. 282 to the Constitution of Alabama and the Speaker of the House of Representatives.

Section 2. The Commission shall be composed of nine (9) members; three (3) of whom shall be appointed by the Governor, at least one of whom shall be experienced in labor-management relations; two (2) by the Lt.-Governor, at least one of whom shall be engaged in the field of business finance or business management; two (2) by the Speaker of the House; and two (2) by the Chief Justice of the Supreme Court. The terms of the commissioners shall be six (6) years. Of the initial appointees, the three who are appointed by the Governor shall be appointed for two (2) years; three (two by the Lt.-Governor and one by the Speaker of the House) shall be appointed for four (4) years; three (two by the Chief Justice and one by the Speaker) shall be appointed for six (6) years. The initial appointments shall be made within 20 days after this Act becomes effective. The Commission shall meet immediately after a majority of its members have been appointed. The members of the Commission shall be eligible for re-appointment and any vacancy in the membership shall be filled by the appointing officer, who originally appointed the member who has caused the vacancy, within 20 days after the vacancy occurs. The members of the Commission shall elect one of their members as Chairman at their first meeting, and every two years thereafter. The Commission shall take no action or make a determination without concurrence of a majority of the members appointed and serving on the Commission. No member or employee of the legislative, judicial or executive branch of the state government, or its political sub-divisions, shall be eligible to be a member of the Commission. Each member of the Commission shall be paid at the rate of twenty-five dollars (\$25.00) for each day such member is engaged upon the work of the Commission and shall be reimbursed for their actual and necessary expenses, including travel, lodging, food and other expenses, incurred in the performance of their duties, within or outside the state. Travel outside the state must be approved by the Chairman or majority vote of the Commission, in advance of such travel.

Section 3. The Director of the State Personnel Board shall serve as Secretary to the Commission and shall provide record-keeping facilities, research facilities, and other facilities as needed from personnel within his department, and such other assistance, which the Commission may request. The Commission may call upon the services of any agency of the state for assistance and such agency shall give priority to such request from its personnel. The Commission is authorized and empowered to employ consultants and staff personnel, either on a full time or part time basis, at compensation to be fixed by the Commission, if the Commission deems it necessary, and to reimburse the actual expenses of such consultants and staff personnel, including expenses of travel, food, lodging and other expenses, in order to accomplish the objectives of the Commission. All per diem payments and expenses of the members of the Commission, all compensation and expenses paid to consultants and staff personnel, and all other expenses incurred by the Commission in

the performance of its duties shall be paid from funds appropriated to the Legislature.

Section 4. The individual salaries or compensation, which are paid from the state treasury, of all state officers, justices, judges, offices and positions listed in Section 1 of this Act are hereby fixed at a sum commensurate with the duties, responsibilities and powers of their respective offices or positions, which said sum shall be determined from considerations of salaries or compensation which are being currently received by officers, justices, judges and employees serving in comparable positions with the Federal Government, other state governments, and in industry, business and the professions and shall be paid from the state treasury in the same manner as other state officials and employees are paid. The Commission on Salaries is hereby directed, authorized and empowered to make finding of facts, including the determination of the exact amount of each such individual salary or compensation, and in making this comparative study the Commission shall utilize all available data pertaining to prevailing market rates and relating to the cost and standards of living of persons in comparable positions.

Section 5. The Commission shall furnish, as herein provided a written report of the results and determinations of each study conducted by the Commission of the individual officers, offices and positions covered by this Act at least thirty (30) days in advance of a regular session or special session of the Legislature and shall file a report on the first day of said session with the Clerk of the House of Representatives and the Secretary of the Senate, except as otherwise provided herein. The said determinations made by the Commission as to the amount of the salary or compensation as to the individual officers, justices, judges, offices or positions shall be effective at the beginning of the pay period which shall begin following the date of October 1st next following the date of the adoption of such report by the Legislature and its becoming law. However, the first report of the Commission shall be filed on or before December 31, 1973 with the Clerk of the House of Representatives and the Secretary of the Senate and copies thereof furnished to offices of officials who normally receive copies of the same. The provisions of the report of the Commission are severable and are advisory only. If any such salary or compensation is altered or rejected by an Act of the Legislature, or should any salary, compensation or act of the Commission or any provision or portion of the report of the Commission be declared invalid or unconstitutional, such alteration, rejection or declaration shall not affect the salaries or compensation of other officers, justices, judges, offices or positions or the parts of the report which remain unamended. The Commission shall report on the salary or compensation of all officers, justices, judges, offices or positions about which it has responsibilities.

A copy of any report of said Commission shall be furnished to the offices of the Governor, Chief Justice of the Supreme Court, the Lt. Governor, the Speaker of the House of Representatives, Secretary of State, Director, Department of Finance, and the State Comptroller and to each member of the Legislature. Should any one or more of the offices in which a copy of said report is to be furnished be vacant, then it is not necessary to furnish a copy of such office or offices. On the copy of each report furnished to the office of the Secretary of State there should be a certificate reciting that copies of such report have been furnished to the other offices.

Section 6. There is hereby appropriated sufficient money from the General Fund for each fiscal year hereafter to pay all of the salaries or compensation of the officers, offices and positions affected by this Act. The said salaries or compensation set by the Commission shall have

the same effect upon appropriations as if the salaries or compensation were set in a specific amount by legislative act.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Pelham, further consideration of the Bill, S. B. 336, and pending substitute, was postponed temporarily.

The Bill:

S. 253. To authorize the Director of Finance, the Director of the Alabama Development Office, the State Treasurer and the Executive Secretary to the Governor to become a public corporation for the purpose of acquiring land for, and erecting, constructing, maintaining, operating and leasing thereon, a products market, exhibition hall, buildings and other related structures and facilities in Jefferson County, Alabama, where products and goods may be displayed to encourage the buying and selling of such products and goods, to encourage the expansion of existing industries in Alabama, to encourage the location of new industries in Alabama and to foster and encourage the growth of the general economy of Alabama; to provide the procedure for incorporation and to designate the members, directors and officers of the Authority; to provide for the establishment in Jefferson County, Alabama, of a products market to be known as the Southern Products Mart Authority; to prescribe the powers of the Authority, including the power to acquire real estate and to acquire, erect, construct, insure, maintain, manage, operate and lease thereon, facilities, buildings, warehouses, storage facilities, exhibition halls, parking areas and other structures and appurtenances of every kind and character used or useful by the Authority for its purposes, to exercise the power of eminent domain, and the power to sell and issue not exceeding twenty million dollars principal amount of bonds for such purposes; to specify certain provisions to be contained in the bonds and the execution and sale of such bonds; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues, receipts and income of the Authority and shall not create an obligation or debt of the State or any political subdivision thereof other than the Authority; to provide that any bonds issued by the Authority may be used as security for the deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to specify the application of the revenues, receipts and income of the Authority; to provide for the construction and equipment of the buildings and facilities of the Authority; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues, receipts and income from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues, receipts and income

which filing will constitute notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to or by any person as defined in the act, including the state or any political subdivision thereof, any agency or board of the state, any municipality or body politic, of space for occupancy on the premises or in the buildings or other structures of the Authority; to provide for the audit of books and accounts of the Authority; to provide for competitive bidding on construction contracts; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide for and limit remedies in the event of any default; to provide for dissolution of said Authority and conveyance of its assets and properties to the state upon payment of said bonds; to provide that the provisions of this act shall be severable; and to provide for a date upon which this act shall become effective.

as amended (which said amendment is set out in the Journal of the Senate for the Thirty-First Legislative Day), was taken up.

Mr. Fine offered the following amendment to the Bill, S. B. 253, as amended, to-wit:

AMENDMENT TO S. B. 253, AS AMENDED

Amend S. B. 253, as amended, by striking Section 4 (h) in its entirety, and re-lettering the remaining sub-sections accordingly.

On motion of Mr. Bailes, said amendment was laid on the table.

Yeas 16; Nays 7.

Yeas:

Messrs.:	Givhan	Lindsey	Register	
Bailes	Harris	Lybrand	Shelby	
Branyon	Jones	Pelham	Vacca	
Dominick	King	Pierce	Wilder	
Gilmore				—16

Nays:

Messrs.:	Dozier	Foshee	Melton	
Carr	Fine	Littleton	Wilson	
				—7

And said Bill, S. B. 253, as amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Baker	Givhan	Lybrand	Shelby	
Branyon	Harris	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Jones	Owen	Wilder	
Dominick	King	Pelham	Wilson	
Edington				—28

Nays: Messrs. Dozier, Fine —2

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or subsequent federal census), so as to allocate to the Board of Health of any such county (effective with the distribution required to be made on or before July 20, 1974) nine per cent (9%) of the first one-half share of proceeds from the taxes levied by said Act No. 405 over and above that portion allocated for the costs of collection, administration and enforcement and so as to increase (effective with the distribution required to be made on or before October 20, 1973) from twenty-two per cent (22%) to thirty-one per cent (31%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

Also:

H. 1646. Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF S. B. 336

The Senate proceeded to further consideration of the Bill, S. B. 336, and pending substitute.

Mr. Pelham then offered the following amendment to the substitute for the Bill, S. B. 336, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 336

Delete all of Section 2 thereof after the words "work of the Commission" and insert a period after "Commission".

Delete the last two sentences of Section 3.

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 336, was then adopted by the Senate.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Jones	Owen	Wilder	
Dozier	King			—29

Nays: Messrs. Carr, Malone —2

And said Bill, S. B. 336, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Gilmore	Littleton	Pierce	
Bailes	Givhan	Lybrand	Register	
Baker	Harris	McLain	Shelby	
Branyon	Hawkins	Melton	Vacca	
Clark	Jones	Noonan	Weaver	
Dominick	King	Owen	Wilder	
Dozier	Lindsey	Pelham	Wilson	
Fine				—28

Nays: Messrs. Carr, Foshee —2

SPECIAL ORDERS

The Senate proceeded to consideration of the Special Orders for today, the first of which was the Bill:

S. 353. To revise existing bail practices in the courts of Alabama to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of Justice nor the public interest, to be known as the Alabama Bail Reform Act of 1973, and to amend certain sections of the Code of Alabama 1940 to conform with such revision.

and pending substitute, as amended, and pending amendment, all of which are set out in the Journal of the Senate for the Thirty-First Legislative Day.

The question was on the amendment offered by Mr. Dominick to the substitute, as amended, for the Bill, S. B. 353, and said amendment was then lost.

Mr. Dominick then offered the following amendment to the substitute, as amended, for the Bill, S. B. 353, to-wit:

AMENDMENT TO SUBSTITUTE, AS AMENDED,
FOR SENATE BILL 353

Strike Section 7 of Senate Bill 353 in its entirety and substitute in lieu thereof the following:

"Section 7. Except for the provisions in Section 4 entitled "Credit for incarceration", this act shall not apply to Jefferson, Madison, Franklin, Lawrence, Winston, Marion, Covington, Crenshaw, Butler, Lowndes, Fayette, Lamar, Pickens, Greene, Hale, Baldwin, Escambia, Pike, Bullock, Coffee, and Geneva Counties and shall not be effective therein. This act shall not apply to Mobile County and shall not be effective therein."

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 353, was then adopted by the Senate.

Yeas 24; Nays 4.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Baker	Gilmore	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Dominick	Harris	Noonan	Wilder	
Dozier	Hawkins	Owen	Wilson	
Edington				—24

Nays:

Messrs.:	Jones	Littleton	Melton	
Carr				—4

And said Bill, S. B. 353, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 4.

Yeas:

Messrs.:	Edington	Hawkins	Owen	
Bailes	Fine	King	Pelham	
Baker	Foshee	Lindsey	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Dominick	Givhan	McLain	Wilder	
Dozier	Harris	Noonan	Wilson	
				—23

Nays:

Messrs.:	Littleton	Melton	Pierce	
Jones				—4

MOTION TO RECONSIDER

On motion of Mr. McLain, the Senate reconsidered the vote by which the Bill, H. B. 1909, was passed.

On motion of Mr. McLain, further consideration of the Bill, H. B. 1909, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

The Bill:

S. 245. To amend Article 3 of Chapter 10 of Title 55, Code of Alabama 1940 by amending Section 347 thereof, relating to creation of boxing and wrestling commission, membership, oath, etc; to further amend Section 348 thereof, relating to seal; powers, authority and duties of the commission; and to amend Section 349 thereof relating to compensation and expenses of members.

was taken up.

Mr. Wilder offered the following amendment to the Bill, S. B. 245, to-wit:

AMENDMENT TO S. B. 245

In Section 1 in the paragraph beginning with the words and figures "Section 347." delete the words and figures:

"The members of the commission shall consist of a chairman of the commission, who shall be Department Adjutant of The American Legion, Department of Alabama, and two associate members. Each of the two associate members shall be appointed by the Governor from three persons nominated by the Executive Committee of The American Legion, Department of Alabama."

and insert in lieu thereof the following:

The members of the commission shall consist of a chairman of the commission and two associate members. Each member of the board shall be appointed by the Governor from three persons nominated by the Executive Committee of the American Legion, Department of Alabama.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Melton
Bailes	Foshee	King	Noonan
Baker	Gilmore	Lindsey	Owen
Carr	Givhan	Littleton	Pierce
Dominick	Harris	Lybrand	Shelby
Dozier	Hawkins	McLain	Weaver
Edington	Horne	Malone	Wilder

—27

Nays:

—0

And said Bill, S. B. 245, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	Lybrand
Bailes	Fine	Horne	McLain
Baker	Foshee	Jones	Malone
Carr	Gilmore	King	Melton
Dominick	Givhan	Lindsey	Noonan
Dozier	Harris	Littleton	Owen

Pierce	Vacca	Wilder	Wilson	
Shelby	Weaver			—29
Nays:				—0

RESOLUTION

Messrs. Gilmore, King, Hawkins, Bailes, Vacca, Cook and Dominick offered the following Senate Joint Resolution, to-wit:

S. J. R. 103. NAMING U. S. HIGHWAY 11 BETWEEN BIRMINGHAM AND TRUSSVILLE THE RICHARD BEARD MEMORIAL PARKWAY.

WHEREAS, the late Richard Beard served this state with dignity and foresight for many years as an agricultural specialist; and

WHEREAS, Mr. Beard, for nearly forty years, owned and operated Glendale Farms, located in Jefferson County near Trussville, where, with his family, he engaged in large scale diversified farming, in the production of purebred Angus cattle, and in the operation of the Glendale Farms Mill and Supply Store; and

WHEREAS, service to the business community of Trussville was in addition to his strong civic conscience Mr. Beard having served on the Trussville City Council and as an elder in the Trussville Presbyterian Church; and

WHEREAS, Mr. Beard's travels carried him the length and breadth of this state, and many miles were registered by his travels over that stretch of highway between Birmingham and Trussville; and

WHEREAS, the residents of Jefferson County wish to pay a lasting tribute to Mr. Beard and his many accomplishments; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That as a sincere gesture of the esteem held for this great Alabamian, that portion of U. S. Highway 11 between Birmingham and Trussville shall hereinafter be named the RICHARD BEARD MEMORIAL PARKWAY, and the State Highway Department is directed to erect appropriate signs designating it as such.

Which was read and ordered to lay over on the Secretary's Desk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 658. To authorize the Governor, on behalf of this state, to execute a compact with the State of Mississippi for the purpose of promoting the development of a Deep Draft Harbor and Terminal to be located on the continental shelf of the United States, in the Gulf of Mexico.

was taken up.

Mr. Noonon offered the following substitute for the Bill, S. B. 658, to-wit:

SUBSTITUTE FOR S. B. 658

A BILL
TO BE ENTITLED
AN ACT

To authorize the Governor on behalf of the State of Alabama to seek appointment of a referee by the U. S. Congress, for the purpose of

executing a compact with the State of Mississippi. This compact to be for the purpose of promoting the development of a Deep Draft Harbor and Terminal to be located on the continental shelf of the United States, in the Gulf of Mexico.

Be It Enacted by the Legislature of Alabama:

ARTICLE I. The purpose of this compact is to promote the development of a Deep Draft Harbor and Terminal to be located on the continental shelf of the United States, in the Gulf of Mexico, and to establish a joint interstate authority to assist in this effort.

Section 1. For the purpose of this act, the term "Deep Draft Harbor and Terminal" means a structure, series of structures, or facility of any type located on the continental shelf off the coast designed to accommodate deep draft vessels whose draft is greater than the depths of the present United States harbors and waterways commonly used by ocean-going traffic, and includes all functionally-related structures and facilities which are necessary or useful to the operation of the terminal whether on land or seaward of the main structure or facility.

Section 2. The Governor, on behalf of this State, is hereby authorized to execute a compact, in substantially the form as provided hereinafter, with the State of Mississippi.

ARTICLE II. The states which are parties to this compact (hereinafter referred to as "party states") do hereby establish and create a joint agency which shall be known as the Ameraport Deep Draft Harbor and Terminal Authority (hereinafter referred to as the "Authority"). The membership of which authority shall consist of the Governor of each party state and five (5) other citizens of each party state, to be appointed by the Governor thereof. Each appointive member of the Authority shall be a citizen of that state who is interested in the promotion and development of Deep Draft Harbor and Terminals, and in the economic and industrial development of the South and its sister states. The appointive members of the Authority shall serve for terms of four (4) years each. Vacancies on the Authority shall be filled by appointment by the Governor for the unexpired portion of the term. The members of the Authority shall not be compensated, but each shall be entitled to actual expenses incurred in attending meetings, or incurred otherwise in the performance of his duties as a member of the Authority. The members of the Authority shall hold regular quarterly meetings and such special meetings as its business may require. They shall choose annually a chairman and vice chairman from among their members, and the chairmanship shall rotate each year among the party states in order of their acceptance of this compact. The secretary of the Authority (hereinafter provided for) shall notify each member in writing of all meetings of the Authority in such a manner and under such rules and regulations as the Authority may prescribe. The Authority shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its business and shall furnish a copy thereof to each member of the Authority. It shall be the duty of the Authority, in general, to promote, encourage, and coordinate efforts of the party states to secure the development of a Deep Draft Harbor and Terminal. Toward this end, the Authority shall have power to hold hearings; to conduct studies and surveys of all problems, benefits, and other matters associated with the development of a Deep Draft Harbor and Terminal, and to make reports thereon; to acquire, by gift or otherwise, and hold and dispose of such money and property as may be provided for the proper performance of their function; to cooperate with other public or private groups, whether local, state, regional, or national, having an interest in the development of Deep Draft Harbors and Terminals; to formulate and execute plans and policies for emphasizing the purpose

of this compact before the Congress of the United States and other appropriate offices and agencies of the United States; and to exercise such other powers as may be appropriate to enable it to accomplish its functions and duties in connection with the development of a Deep Draft Harbor and Terminal and to carry out the purposes of this compact.

ARTICLE III. The Authority shall appoint an executive secretary, who shall be the compact administrator. His term of office shall be at the pleasure of the Authority and he shall receive such compensation as the Authority shall prescribe. He shall maintain custody of the Authority's books, records, and papers, which he shall keep at the office of the Authority, and he shall perform all functions and duties, and exercise all powers and authorities, that may be delegated to him by the Authority.

ARTICLE IV. Each party state agrees that, when authorized by its Legislature, it will from time to time make available and pay over to the Authority such funds as may be required for the establishment and operation of the Authority. The contribution of each party state shall be equally shared.

ARTICLE V. Nothing in this compact shall be construed so as to conflict with any existing statute, or to limit the powers of any party state, or to repeal or prevent legislation, or to authorize or permit curtailment or diminution of any other harbor or terminal project, or to affect any existing or future cooperative arrangement or relationship between any federal agency and a party state.

ARTICLE VI. This compact shall continue in force and remain binding upon each party state until the Legislature or Governor of each or either state takes action to withdraw therefrom; provided that such withdrawal shall not become effective until six (6) months after the date of the action taken by the Legislature or Governor. Notice of such action shall be given to the other party state or states by the Secretary of State of the party state which takes such action.

ARTICLE VII. There is hereby granted to the Governor, to the members of the Authority for Alabama and to the compact administrator all the powers provided for in said compact and in this act. All officers of the State of Alabama are hereby authorized and directed to do all things falling within their respective jurisdictions which are necessary or incidental to carry out the purposes of said compact. The members of the Authority appointed by the Governor of the State of Alabama under the provisions of Article II of the compact shall be with the advice and consent of the State Senate of Alabama.

ARTICLE VIII. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

ARTICLE IX. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dominick	Foshee	Hawkins
Bailes	Dozier	Gilmore	Horne
Baker	Edgington	Givhan	Jones
Branyon	Fine	Harris	King

Lindsey	Malone	Pelham	Vacca	
Littleton	Melton	Pierce	Wilder	
Lybrand	Noonan	Register	Wilson	
McLain	Owen			—29

Nays: —0

And said Bill, S. B. 658, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	Malone	Vacca	
Carr	Harris	Melton	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones	Owen		—26

Nays: —0

The Bill:

S. 642. To create and authorize the creation of the Ameraport Interstate Offshore Harbor and Terminal Compact, involving the participation of the states of Alabama and Mississippi and others in the development of an offshore, deep draft harbor or terminal for the purpose of loading and unloading cargoes of energy, in particular, petroleum of all kinds.

was taken up.

Mr. Noonan offered the following substitute for the Bill, S. B. 642, to-wit:

SUBSTITUTE FOR S. B. 642

A BILL TO BE ENTITLED AN ACT

To create, establish and empower The Ameraport Offshore Harbor and Terminal Commission, pending the approval of a bistate compact involving the participation of the States of Alabama and Mississippi, in the development of an offshore deep draft harbor and terminal for the purpose of loading and unloading cargoes of energy, in particular, petroleum of all kinds.

Be It Enacted by the Legislature of Alabama:

Section 1. It is the intent and purpose of this Act to provide for the creation of The Ameraport Offshore Harbor and Terminal Commission, hereinafter referred to as the "Commission," to promote, plan, finance, develop, construct, control, operate, manage, maintain and modify a deep draft harbor and terminal, in order to promote the economic welfare of its citizens, and to provide the necessary facilities for docking, loading and unloading of vessels carrying liquid or dry bulk and energy cargoes, and to provide for the laying of pipelines or other forms of transportation or transmission of energy cargoes of all kinds. It is the object of this act to assert and protect Alabama's economic, social and

environmental interests in the development of any Deep Draft Harbor and Terminal outside the State of Alabama where such development may have an impact upon the State of Alabama.

Section 2. It is the intent of this act that the Commission shall not be required to pay any taxes or assessments on any property acquired or used by it under the provisions of this act or upon the income therefrom, and any bonds issued hereunder shall be serviced from the income of said facility and shall be exempt from taxation by the State of Alabama, and by any municipal or political subdivision of the state.

Section 3. Definitions: In this act,

a. "Deep draft harbor or terminal" means a structure, series of structures or facility of any type located on the continental shelf off the coast, within or without the State of Alabama and designed to accommodate deep draft vessels carrying petroleum products whose draft is often greater than the depths of United States harbors and waterways commonly used by ocean going traffic, and includes all functionally related structures and facilities which are necessary or useful to the operation of the terminal whether landward or seaward of the main structure or facility. Such structures may be, or include a "single-bouy mooring terminal" system, or a "mono-buoy" system.

b. "Commission" means the Ameraport Offshore Harbor and Terminal Commission.

c. "Executive Director" means the executive director of the Ameraport Offshore Harbor and Terminal Commission.

Section 4. The Commission shall have exclusive jurisdiction over the Commission Development Program within the coastal waters of Alabama. The Commission shall have the right to acquire water-bottoms inside and outside of the territorial limits of the State of Alabama for use in the construction, operation or maintenance of the facilities functionally required, related, necessary or useful to the operation of the Commission.

Section 5. The Commission shall be composed of the Governor, who shall serve as an ex-officio member, and a Board of Commissioners consisting of five members chosen on the basis of their demonstrated experience in civic leadership and their stature and ability to act effectively for the best interests of the State of Alabama. All Commissioners shall be appointed by the Governor. Each of the five Commissioners shall serve a five-year term, except for the initial appointees. The first five appointments shall be for terms of, one member for one year, two for two years, two for three years. All vacancies shall be filled by the Governor for the unexpired term in the same manner as the appointments are originally made. A Commissioner may be removed by the Governor for just cause. The Governor shall designate one member of the Commission to serve as Chairman and another to serve as Vice Chairman. Any vacancy in the office of Chairman or Vice Chairman shall be filled for the unexpired term in the manner provided for the original appointment or selection. The Commission may select other officers as are appropriate for the fulfillment of the Commission's activities.

Section 6. The Commission shall meet at least once each month and may hold special meetings at the call of the chair or of three of its members. The Chairman, or in his absence the Vice Chairman, shall preside at all meetings. A majority of the members of the Commission constitutes a quorum for the transaction of business.

Section 7. All members of the Commission are entitled to receive reimbursement for travel and other necessary expenses resulting from the performance of their powers and duties under this Act, and all members of the Commission, except persons who are officers or employees of another state agency or a local government or political subdivision of the state, are entitled to receive as compensation \$50 a day for each day actually engaged in the work of the Commission.

Section 8. The Commission shall employ an executive director to serve at the will of the Commission.

Section 9. The Executive Director, under policies adopted by the Commission, shall manage the executive and administrative functions of the Commission and the Commission's general operations and shall serve as Chief Administrative Officer of the Commission.

Section 10. The executive director, in addition to his usual functions, shall be secretary to the Board of Commissioners. The Board of Commissioners shall fix the compensation of the Executive Director. The Executive Director shall employ necessary engineers, attorneys, accountants, technical personnel, and other employees necessary to carry out the provisions of this Act.

Section 11. Employees of the Commission are entitled to compensation as provided by the Commission.

Section 12. The Executive Director shall keep full and accurate minutes of all transactions and proceedings of the Commission. The Executive Director shall be the custodian of all the files and records of the Commission.

Section 13. After proper notice and hearing, the Commission shall adopt rules for its operations and to carry out its powers, duties, and responsibilities.

Section 14. The Commission may apply for, request, solicit, contract for, receive and accept money and other assistance from any source to carry out its duties.

Section 15. All information, documents and data collected by the Commission in the performance of its duties are the property of the State. All records are open to inspection by any person during regular office hours.

Section 16. The Commission shall formulate general policy to govern the agency and its activities. The Commission has the powers and duties specifically prescribed by this Act and all other powers necessary or convenient to carry out its responsibilities.

Section 17. The Commission shall be vested with exclusive and plenary authority to do any and all things necessary or proper for the Commission to promote, plan, finance, develop, construct, control, operate, manage, maintain and modify the Commission Development Program. To assert Alabama's interest in any Deep Draft Harbor and Terminal development in proximity to the Alabama coast, the Commission is empowered to negotiate with and enter into contracts, compacts, or other agreements with agencies, bureaus or other divisions of the federal government or other states of the United States concerning the Commission Development Program, including jurisdictional aspects of the location of the Deep Draft Harbor and Terminal, sharing of revenues derived from the operation of the Deep Draft Harbor and Terminal and promulgation and enforcement of regulations governing Commission operations.

Section 18. The Commission is granted all powers capable of being delegated by the Legislature under the Constitution of the State, including but not limited to authority:

a. To own, construct, operate, maintain and lease docks, wharves, sheds, elevators, pipelines, pumping stations and facilities, storage facilities, housing and food facilities, heliport, locks, slips, laterals, basins, warehouses and all other property, structures, equipment and facilities, including belt and connecting lines of railroads and works of public improvement necessary or useful for Deep Draft Harbor and Terminal purposes.

b. To dredge and maintain shipways, channels, slips, basins and turning basins.

c. To establish, operate and maintain in cooperation with the Federal Government, the State of Alabama and its various agencies, subdivisions and public bodies, navigable waterway systems.

d. To acquire by expropriation any real property in fee, leaving the ownership of any minerals, or mineral rights in the former owners.

e. To collect tolls and fees.

f. To borrow funds for the business of the Commission.

g. To select an official journal for the publication of the official acts of the Commission.

h. To mortgage properties constructed or acquired by said Commission and to mortgage and pledge any lease or leases and the rents, income and other advantages arising out of any lease or leases granted, assigned or subleased by the Commission.

Section 19. The Commission is hereby empowered to take all necessary steps to protect Alabama's unique coastal environment from any short-term or long-term damage or harm which might occur from any aspect of the Commission Development Program.

Section 20. The Commission may contract with any agency, public or private, to provide for public utilities on such terms as are agreed upon. The Commission and the respective utilities may contract for the financing, construction and extension of sewerage, water, drainage, electricity, gas and other necessary public utilities in and through said development.

Section 21. To enable the Commission to perform the work herein provided, the State of Alabama, acting by and through the appropriate State Departments, is hereby authorized, empowered and directed to grant to the Commission a lease on state owned waterbottoms which are selected by the Commission as sites for the Deep Draft Harbor and Terminal, provided, however, that the mineral rights on any and all state lands shall be reserved to the State of Alabama.

Section 22. The Commission may lease or sublease lands leased from the State of Alabama and is authorized to negotiate and enter contracts or agreements with any public or private individual, or corporation for the construction and operation of a petroleum and commodity terminal as an interstate common carrier. In the event of the acquisition or use of any state owned waterbottoms on which there has been granted an oyster lease the private oyster lessee shall be reimbursed by the Commission for the actual market value of said lease. In the event of expropriation, the compensation to be paid shall be the actual market value of the property at the time of taking.

Section 23. Where the Commission deems it advisable and in the public interest to purchase machinery, equipment, or vehicles of certain makes, kinds or types, the Commission may purchase those makes, kinds or types, but they shall not pay more than the actual market price for the machinery, equipment or vehicles.

Section 24. The Commission may enter into inter-governmental contract agreements with existing port authorities, individually, or with any city, municipality, or subdivision of the state, and may engage jointly in the exercise of any power, the making of any improvements which each of the participating authorities may exercise or undertake individually under any provision of general or special law .

Section 25. The Commission is granted the power to incur debt and issue bonds by any of the means authorized by the Constitution and laws of the State of Alabama. Any revenue producing wharf, dock, warehouse, elevator, industrial facility or other structure owned by or to be acquired by the Commission from proceeds of bonds issued by it is hereby declared to be a revenue producing public utility as that term is used and defined by the Constitution and laws of the State in connection with the issuance of revenue bonds of political subdivisions of the State. As an additional grant of authority beyond other provisions of the Constitution, the Commission is authorized to issue negotiable bonds for any purpose within their delegated authority, and to pledge for the payment of the principal and interest of such negotiable bonds the income and revenues derived or to be derived from the properties and facilities maintained and operated by them or received by the Commission from other sources. Such negotiable bonds may be further secured by a conventional mortgage upon any or all of the property constructed or acquired, or to be constructed or acquired by them. To further secure such negotiable bonds the Commission may apply in whole or in part any money received by gift, grant, donation or otherwise from the United States, the State of Alabama, or any political subdivision thereof, unless otherwise provided by terms of the gift, devise, donation or similar grant.

Section 26. The Commission created by this act shall cease to exist upon the authorization of a bistate compact by the U. S. Congress for essentially the same purposes as this bill.

Section 27. The provisions of this act are severable. If any part of the act is declared to be invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 28. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Baker	Foshee	Lindsey	Pelham
Branyon	Gilmore	Lybrand	Pierce
Carr	Givhan	McLain	Register
Dominick	Harris	Malone	Vacca
Dozier	Horne	Melton	Wilson
Edington	Jones	Noonan	

—26

Nays:

—0

And said Bill, S. B. 642, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Baker	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Harris	McLain	Vacca	
Dominick	Hawkins	Malone	Wilder	
Dozier	Horne	Melton	Wilson	
Edington	Jones	Noonan		—30

Nays:

—0

The Bill:

S. 515. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

was taken up.

Mr. Noonan offered the following amendment to the Bill, S. B. 515, to-wit:

AMENDMENT TO S. B. 515

Amend S. B. 515 by deleting on Page 2, line three, the sixth word entitled "compiled," and substitute in lieu thereof the word "complied."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Dominick	Hawkins	Melton	Wilder	
Dozier	Horne	Noonan	Wilson	
Edington	Jones	Owen		—30

Nays:

—0

And said Bill, S. B. 515, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Lybrand	Register	
Branyon	Givhan	Malone	Shelby	
Carr	Harris	Melton	Vacca	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—29

Nays:

—0

The Bill:

S. 516. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Baker	Foshee	Lindsey	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne	Owen		—26

Nays: Messrs. Lybrand, Melton

—2

The Bill:

S. 311. To provide for the management and development of Alabama's coastal areas; to designate the Department of Conservation and Natural Resources as the state agency for development, planning and coordination of the purposes of this act; and to authorize said department to develop and expend funds for such purposes.

was taken up.

The Standing Committee on Conservation reported the following substitute for the Bill, S. B. 311, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 311

A BILL TO BE ENTITLED AN ACT

To provide for the management and development of Alabama's coastal areas; to create a board with responsibility and authority for planning and coordination of the purposes of this act; and to authorize said board to develop and expend funds for such purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The intent of this act is to provide for effective, efficient and economic development of marine resources available to the State of

Alabama; and to cause suitable skilled professionals and labor to harness the marine resources of this state's coastal, offshore and water resources toward achieving the highest economic growth potential through modern concepts and technology in the oceanographic and related fields and scientific discoveries of underwater marine resources.

Section 2. Alabama Coastal Area Board. There is hereby created the Alabama Coastal Area Board composed of eight members as set forth hereinafter:

a. Members of the Board shall consist of: The Director of the Alabama Development Office, the Director of the Alabama Department of Conservation and Natural Resources, the Director of the Alabama State Docks, a member of the Mobile City Commission, a member of the Baldwin County Commission, a member of the Mobile County Commission, a member of the Alabama Senate, and a member of the Alabama House of Representatives. The term of office of each Board member shall be consistent with his elective or appointed office. The member from the Mobile City Commission and the Baldwin and Mobile County Commissions shall be elected by the membership of their respective commission, and the Speaker of House and the President of the Senate shall appoint the member from their respective body. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. All members shall be eligible for reappointment.

b. The Governor shall appoint one member from the above designated Board as Chairman to serve at the will of the Governor. The Chairman shall designate from time to time any other member as acting chairman to serve during his absence. A quorum for the transaction of business shall consist of at least five members. The Board shall have an official seal which shall be judicially noticed.

c. Members shall receive no additional compensation for serving on the Board, but shall be reimbursed for expenses of travel and subsistence in the discharge of their official duties at the rate provided by law.

d. The Board shall meet quarterly, and shall meet in special sessions as occasion demands upon the call of the Chairman. All meetings shall be open to the public and an accurate record of all proceedings shall be kept and made available for public inspection. All members shall be voting members except the Chairman shall vote only in the case of a tie.

e. The Board shall employ the services of the Alabama Development Office, State Planning Division, to administer the staff activities and technical functions of this act. The staff shall include an Operations Officer and a supporting staff composed of, as necessary, professionals with expertise in engineering, geology, hydrology, economics, planning, statistics, public information, and environmental matters.

Section 3. Duty and Responsibilities of the Board. The Board shall have the duty and responsibility of carrying out the objectives of this act.

Section 4. Purposes and Powers.

a. The Board shall have the general authority to formulate a state policy, study and develop plans, proposals, reports and recommendations for the development and utilization of the coastal and offshore lands, waters and marine resources of this state in order to insure that in all future plans and/or programs of the State of Alabama involving the field of marine resources and sciences, oceanographic research, and related

studies, will be coordinated with comparable functions and programs of agencies of the United States.

b. In recognition of the national policy expressed in the Coastal Zone Management Act of 1972, Public Law 92-583, the Board is directed to include an overall plan for use of coastal and affected lands in the Alabama Coastal Area Plan being prepared by the Board, and the Board is further directed to identify and include in such plan specific coastal and affected lands which the Board recommends should be set aside as estuarine sanctuaries.

c. The Board shall have the general authority to do and perform such work and development as may be needed and required for the best use and utilization of the coastal and offshore lands, waters and marine resources of this state and may expend such funds as may be available to the Board for such purposes.

d. The Board shall further have the purpose and duty to coordinate all the plans of other agencies of this state engaged in similar activity and other private agencies whose purpose is marine science and resource development. To achieve this coordination, all state boards and agencies engaged in activities in the field of marine resources and technology shall utilize the Board as a clearinghouse on all present and future joint federal-state programs whether presently administered by an existing agency or not.

e. The Board shall advise the Governor and all related state agencies on the best programs available to the State of Alabama for the development of its marine resources and on the best utilization of all facilities in the State of Alabama for marine research and development.

f. The Board is authorized to enter into contract with any state or federal agency as may be necessary and required to carry out the purposes of this act.

g. The Board is authorized and empowered to solicit and accept financial support from sources other than the state, including private or public sources or foundations. All funds received by or appropriated to the Board shall be deposited upon receipt thereof into a special fund in the State Treasury to be known and designated as the "Coastal Area Fund". Expenditures by the Board for the purposes enumerated in this act and related activities shall be made as provided for by law. Full and complete accounting shall be kept and made by the Board for all funds received and expended by it.

h. The Board may solicit, receive and expend contributions, matching funds, gifts, bequests and devices from any source, whether federal, state, public or private, as authorized by appropriations therefor. It may enter into agreements with said federal, state, public or private agencies, departments, institutions, firms, corporations or persons to carry out its policies as provided in this act.

Section 5. Severability. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions, but the remaining provisions thereof shall be in force and effect without regard to that so invalid.

Section 6. All laws or parts of laws in conflict with the provisions of this act are hereby expressly repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The Standing Committee on Conservation reported the following amendment to the substitute for the Bill, S. B. 311, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE S. B. 311

Amend Substitute for Senate Bill 311 by adding at the end of (e.), Section 2, the following:

The staff, with respect to environmental matters, shall include an individual holding a degree from a four-year college or university with major course work in marine biology, supplemented by graduate work to the level of a Master's Degree in the field of Marine Biology, and further, such individual shall possess responsible professional experience in fisheries, wildlife or marine management and research activities.

Further amend said bill as substituted by adding at the end of (b.), Section 4, the following:

With respect to recommendations pertaining to estuarine sanctuaries, the Board shall obtain the recommendations of the Chief Biologist, Marine Resources Division, Department of Conservation and Natural Resources, and such recommendations shall be given due and proper consideration by the Board in the finalizing of the Board's recommendations in the matter of estuarine sanctuaries.

On motion of Mr. Owen, the Conservation Committee substitute and pending Committee amendment were laid on the table.

Mr. Noonan offered the following substitute for the Bill, S. B. 311, to-wit:

SUBSTITUTE FOR S. B. 311

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the preservation, enhancement and development of the coastal areas of Alabama; to establish a board with responsibility and authority for developing, coordinating and maintaining a coastal area program; and to provide for the promulgation of regulations and provisions for the enforcement of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Purpose. The purpose of this Act is to promote, improve and safeguard the lands and waters located in the coastal areas of this state through a comprehensive and cooperative program designed to preserve, enhance and develop such valuable resources for the present and future well-being and general welfare of the citizens of this state. In promulgating such a program, the Legislature of Alabama recognizes and declares that:

a. The coastal area is rich in a variety of natural, commercial, recreational, industrial, and aesthetic resources of immediate and potential value to the present and future well-being of the state.

b. There are increasing and competing demands upon the lands and waters of the coastal area occasioned by population growth and economic development, including requirements for industry, commerce, residential development, recreation, extraction of mineral resources and fossil fuels, transportation and navigation, waste disposal, and harvesting of fish, shellfish, and other living marine resources.

c. The coastal area, and the fish, shellfish, other living marine resources, and wildlife therein, are ecologically fragile and consequently extremely vulnerable to destruction by man's alterations.

d. Important ecological, cultural, historic and aesthetic values in the coastal area are essential to the well-being of all citizens.

e. Special natural and scenic characteristics may be damaged by ill-planned development.

f. There is a state interest in the effective administration, beneficial use, protection, and development of the coastal area.

g. In light of competing demands and the urgent need to balance development for the preservation of the natural systems in the coastal area, the key to more effective protection and use of land and water resources of the coastal area is to encourage the state to exercise its authority for improved and better methods of utilizing the lands and waters in the coastal area by developing, in cooperation with counties and municipalities and other vitally affected interests, land and water use programs for the coastal area, including unified policies, criteria, standards, methods, and processes for dealing with land and water use.

Section 2. State Policy. The Legislature finds and declares that it is State policy:

a. To preserve, protect, develop, and where possible, to restore or enhance, the resources of the state's coastal area for this and succeeding generations;

b. To encourage and assist counties and municipalities to exercise effectively their responsibilities in the coastal area through the development and implementation of administration programs to achieve wise use of the land and water resources of the coastal area giving full consideration to ecological, cultural, historic, and aesthetic values as well as to needs for economic development.

c. To assure that in development of the state's coastal area adequate consideration is given to such uses of the coastal area as the establishment of harbor facilities for the receiving of oil, gas and other commodities from ships and tankers; pipelines from such ports; and utility plant sites, utility generation, transmission, distribution, and transportation facilities;

d. To urge that all state agencies engaged in programs affecting the coastal area cooperate and participate with local governments and regional agencies in effectuating the purposes of this Act; and

e. To encourage the participating of the public, of federal, state, and local governments and of regional agencies in the development of coastal area administration programs. With respect to implementation of such administration programs, it is the state policy to encourage cooperation among the various state and regional agencies including establishment of interstate and regional agreements, cooperative procedures and joint action particularly regarding environmental problems.

Section 3. Definitions. The following terms, whenever used in this Act, shall have the following respective meanings unless the context thereof clearly indicates otherwise:

a. "Coastal area" means the coastal water (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder) strongly influenced by each and in proximity to the shorelines of Alabama, and includes transitional and

intertidal areas, salt marshes, wetlands, and beaches. The area extends seaward to the outer limit of the United States territorial sea and extends inland from the shorelines only to the extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters.

b. "Coastal waters" means those waters, adjacent to the shoreline, which contain a measurable quantity or percentage of sea water, including but not limited to, sounds, bays, lagoons, bayous, ponds and estuaries.

c. "Estuary" means that part of a river or stream or other body of water having unimpaired connection with the open sea, where the sea water is measurably diluted with fresh water derived from land drainage.

d. "Estuarine sanctuary" means a research area which may include any part or all of an estuary, adjoining transitional areas, and adjacent uplands, constituting to the extent feasible, a natural unit, set aside to provide scientists and students the opportunity to examine over a period of time the ecological relationships within the area.

e. "Administration Program" includes, but is not limited to, a comprehensive statement in words, maps, illustrations, or other media of communication, prepared and adopted by the state in accordance with the provisions of this Act, setting forth objectives, policies and standards to guide public and private users of lands and waters in the coastal area.

f. "Water use" means activities which are conducted in or on the water, but does not mean or include the establishment of any water quality standard or criteria or the regulation of the discharge or runoff of water pollutants except the standards, criteria, or regulations which are incorporated in any program as required by the provisions of this Act.

g. "Regulated activity" means any of the following activities: the dredging, excavating or removing of soil, mud, sand, gravel, flora, fauna or aggregate of any kind from any coastal area; the dumping, filling or depositing of any soil, stones, sand, gravel, mud, aggregate of any kind or garbage, either directly or indirectly, on or in any coastal areas; killing or materially damaging any flora or fauna on or in any coastal area; and the creation on coastal areas of structures which materially affect the ebb and flow of the tide.

h. "Dredging" means the removal or displacement by any means of soil, sand, gravel, shells or other material, whether of intrinsic value or not, from coastal areas.

i. "Filling" means either the displacement of waters by the depositing into coastal areas of soil, sand, gravel, shells or other material; or the artificial alteration of water levels or water currents by physical structures, drainage ditches or otherwise.

j. "Board" means the board established under this Act.

Section 4. This act shall not apply to the following activities, areas and entities:

a. The accomplishment of emergency decrees of any duly appointed health officer of a county or municipality or of the state, acting to protect the public health and safety;

b. The conservation, repletion and research activities of the Marine Environmental Sciences Consortium, the Marine Resources Division of

the Department of Conservation and Natural Resources and the Mississippi-Alabama Sea Grant Consortium;

c. Hunting, erecting duckblinds, fishing, shellfishing and trapping when and where otherwise permitted by law;

d. Swimming, hiking, boating or other recreation that causes no material harm to the flora and fauna of the areas;

e. The exercise of riparian rights by the owner of the riparian rights, provided that the construction and maintenance of piers, boat-houses and similar structures are constructed on pilings that permit a reasonably unobstructed ebb and flow of the tide; provided, further, that the riparian owner may reasonably alter the wetland at the end of his pier in order to allow docking of his vessels, if the end of his pier is at the edge of marsh grass abutting his property;

f. The normal maintenance and repair of bulkheads, piers, roads and highways existing on the date of enactment of this act, and all interstate highways planned but not yet under construction;

g. Work for the maintenance, repair, renewal, improvement or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure;

h. The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.

i. All areas developed in the future by federal, state or county governments for the establishment of a superport or a pipeline buoy terminal for deep-draft, ocean-going vessels where regulated by federal or state agencies in a manner consistent with the purposes of this act.

j. Any activity affecting an area that is associated with or is necessary for the exploration, production or transportation of oil or gas when such activity is conducted, in a manner consistent with the purposes of this act, under a current and valid permit granted by a duly constituted agency of the State of Alabama;

k. Normal maintenance and repair activities of any utility or other person engaged in telephone communication service or in the distribution or transmission of gas, electricity or water or the collection of sewage, including inspecting, maintaining, repairing, or renewing on private or public rights of way any sewers, mains, conduits, pipes, cables, utility tunnels, power lines, towers, poles, tracks or the like, or making service connections thereto, or inspecting, maintaining, repairing, or renewing any substation, pumping or lifting facility.

l. Activities of any mosquito control commission which is a political subdivision or agency of the State of Alabama;

Section 5. Composition, Appointments, Meetings and Functions of Board. There is hereby created the Alabama Coastal Area Board composed of eight members as set forth hereinafter:

a. Members of the Board shall consist of: The Director of the Alabama Development Office, the Director of the Alabama Department of Conservation and Natural Resources, the Director of the Alabama State Docks, a member of the Mobile City Commission, a member of the Baldwin County Commission, a member of the Mobile County Commission, the State Geologist, the Director of the Marine Environmental Sciences Consortium. The term of office of each Board member shall be consistent with his elective or appointed office. The member from the Mobile City Commission and the Baldwin and Mobile County Commis-

sions shall be elected by the membership of their respective commissions. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. All members shall be eligible for reappointment.

b. The Governor shall appoint one member from the above designated Board as Chairman to serve at the will of the Governor. The Chairman shall designate from time to time any other member as acting chairman to serve during his absence. A quorum for the transaction of business shall consist of at least five members. The Board shall have an official seal which shall be judicially noticed.

c. Members shall receive no additional compensation for serving on the Board, but shall be reimbursed for expenses of travel and subsistence in the discharge of their official duties at the rate provided by law.

d. The Board shall meet quarterly, and shall meet in special sessions as occasion demands upon the call of the Chairman. All meetings shall be open to the public and an accurate record of all proceedings shall be kept and made available for public inspection. All members shall be voting members.

e. The Board shall employ the services of the Alabama Development Office, to provide and administer the staff activities and technical functions of the Coastal Area Act.

f. The Alabama Development Office shall have the authority to solicit, accept and expend funds from the State, the United States, and from any other source, to carry out the provisions, purposes and policies of this Act.

g. The Board shall coordinate activities and plans of all existing interests, other State governments, local governments, regional planning agencies, interstate compacts and commissions, and federal agencies which have programs relevant to the coastal area.

h. The Board shall promulgate such regulations as are necessary for the effective administration of this Act and will begin the enforcement of these provisions upon the completion of the required regulations and upon their becoming effective pursuant to approval by the Board.

i. When necessary to achieve conformance with the management program provided for in Section 6 of this act, the Board shall have the power to acquire fee simple and less than fee simple interests in land, water and other property under the procedures of Title 19, Code of Alabama, or other means.

j. The following State agencies shall act in an advisory capacity to the Board:

- (1) State Health Department
- (2) Water Improvement Commission
- (3) Alabama Highway Department
- (4) Department of Agriculture and Industries
- (5) Alabama Public Service Commission
- (6) State Oil and Gas Board
- (7) Air Pollution Commission

k. The Attorney General's office shall assign an Assistant Attorney

General to the Alabama Development Office to advise on activities related to the Coastal Area Act and other related activities.

Section 6. Development of Program by Board. The Board shall provide for the development of a comprehensive coastal area administration program in recognition of the national policy expressed in the Coastal Zone Management Act of 1972, Public Law 92-583. The program shall be prepared in cooperation with local, regional, state and federal interests and shall comply with federal rules, etc., for coastal area planning and administration. The program should include at least the following:

- a. Identification of the boundaries of the Coastal Area subject to the program;
- b. Identification of all of the state's coastal resources;
- c. Evaluation of these resources in terms of their quality, quantity, and capability for the use both now and in the future;
- d. Determination of the present and potential uses and the present and potential conflicts in the uses of each coastal resource;
- e. A definition of what shall constitute permissible land and water uses within the coastal area which have a direct and significant impact on the coastal waters;
- f. An inventory and designation of areas of particular concern within the coastal area;
- g. Broad guidelines on priority of uses in particular areas;
- h. Provision for adequate consideration of the local, regional, State and national interest involved in the siting of facilities for the development, generation, transmission and distribution of energy, adequate transportation facilities and other public services necessary to meet requirements which are other than local in nature.
- i. Provision for consideration of whether a proposed activity of an applicant for a federal license or permit complies with the state's coastal area program and for the issuance of notice to any concerned federal agency as to whether the state concurs with or objects to the proposed activity.
- j. Adequate provision for public notice, public hearings, and judicial review as provided for under Alabama law.

Section 7. Permit Applications. Following development of the coastal area administration program provided for in Section 6 and review and approval of the program by the Governor, no regulated activity shall affect, subsequent to the effective date of said coastal area administration program, any coastal area without a permit unless such regulated activity is allowed without permit in the administration program promulgated pursuant to the provisions of this act. Any person proposing to conduct or cause to be conducted such a regulated activity upon any coastal area subsequent to the effective date of said coastal area administration program shall file an application for a permit with the Board in such form and with such information as the Board may prescribe. An application fee in an amount to be established by the Board regulations shall accompany each application and shall be payable to the Board.

- a. An application shall include the following:

- (1) The name and address of the applicant;

(2) The names and addresses of the owners of record of adjacent land and of known claimants of riparian or water rights in or immediately adjacent to the coastal area, or a certification that after diligent search and inquiry the said names and addresses could not be found;

(3) A detailed description of the proposed activity and a map, drawn to an appropriate and uniform scale showing by section, township and range, the location and area of the coastal areas to be affected, indicating the location and area of existing and proposed fill, excavation or other regulated activities; showing the location, width, depth and length of any proposed channel and dredge spoil disposal site; showing all existing and proposed structures, sewage collection and treatment facilities, utility installations, roadways and related appurtenances or facilities, including those on adjacent uplands; describing the type of equipment to be used and the means of equipment access to the activity site;

(4) An estimate of the cost of the activity;

(5) The primary and secondary purposes of the project, including contemplated future projects;

(6) A description of any public benefit to be derived from the proposed project dependent upon the proposed activity;

(7) A complete description of measures to be taken to reduce detrimental off-site effects to the coastal areas during and after the proposed activity;

(8) The completion date of the proposed activity and of the project dependent upon the activity;

(9) A written report or statement of the environmental impact of the proposed regulated activity and of the final project dependent on it upon the affected coastal areas and the life dependent upon them, provided that an environmental impact statement treating the same activity in the same area and supplied to another federal or state agency for considering a permit shall satisfy this requirement if submitted by the applicant; and

(10) A certification that permits from the Alabama Air Pollution Commission and the Alabama Water Improvement Commission have been applied for or that such permits are not required; that a permit from the United States Corps of Engineers has been applied for or that such permit is not required; that permits or other certificates of compliance with applicable municipal or county building codes and zoning ordinances have been applied for or are not required;

b. However, any person filing an application to dredge an existing channel for navigational purposes need only show:

(1) That such channel was lawfully in existence on the date of enactment of this act and on the date such application was filed;

(2) That such channel is regularly used for navigational purposes;

(3) That a permit from the U. S. Corps of Engineers, or its successors, was obtained for the original dredging or that such permit was not required;

(4) That such channel, because of silting or because of the movement of mud, sand, soil or other debris, has become, or is in danger of becoming, impaired for navigational purposes;

(5) Where and how the spoil shall be disposed of, so as to preserve existing areas; and

(6) Fulfill the requirements of subsections a.(1) and a.(7) above.

c. Any person filing an application to dredge a new channel through coastal areas for navigational purposes, must, in addition to the requirements of subsection a. above, show to the satisfaction of the Board:

(1) That such channel will be regularly used for navigational purposes;

(2) That such channel is necessary for access to existing or proposed docks, marinas, yacht basins or other facilities and that there are no other reasonable means of access to such facilities;

(3) Where and how the spoils shall be disposed of, so as to preserve existing areas;

(4) That such channel will be dredged in such a manner as to have the least detrimental effect on the ecological, economic, recreational and aesthetic value of surrounding coastal areas; and

(5) That such channel shall benefit the public at large or surrounding landowners.

d. The Board shall cause a copy of any application to be mailed immediately to the following parties:

(1) The chief administrative officer in the municipality or municipalities where any part of the proposed activity will be located;

(2) The chief administrative officer of any county where any part of the proposed activity will be located;

(3) The chief biologist, Department of Conservation and Natural Resources;

(4) The county attorney of any county in which any part of the proposed activity will be located or in any county which may be affected by such activity;

(5) The district attorney of any judicial district in which any part of the proposed activity will be located or of any district which may be affected by such activity;

(6) The Director of the South Alabama Regional Planning and Development Commission.

e. Not later than sixty (60) days from the receipt of any application, the Board shall publish notice of a date on or before which written objections to any application must be filed. If written objection is filed or if the applicant requests a hearing, then a hearing must be held within ten (10) days after the date on or before which objections must be filed unless a later date for the hearing is agreed to by all parties. Notice of the date on or before which objections must be filed shall be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper of general circulation in the county or counties in which the affected areas are located. The first publication of such notice shall be made not less than twenty-one (21) days prior to the date on or before which objections must be filed and the last publication shall be made not more than seven (7) days prior to such date. The published notice shall describe the site of the proposed activity and shall give a general description of the proposed regulated activity. Further, notice

shall be given describing the date, time and place for the said hearing by U. S. Mail, postage prepaid, to each of the objectors and to the applicant at the address furnished to the Board by said parties, and by causing a copy of such notice to be published at least one (1) time in one (1) newspaper having general circulation in the county or counties in which the affected wetlands are located.

f. The following parties shall be notified of a hearing by the Board by mail prior to the date set for the hearing, but a failure to meet this requirement shall not invalidate any permit granted thereafter:

(1) All of those parties who are entitled to receive a copy of such application in accordance with subsection e. of this section of this act; and

(2) All known owners of record of adjacent land and all known claimants to water or riparian rights in or adjacent to the coastal areas affected.

g. Any person who files a written objection pursuant to paragraph e. of this section may appear at the public hearing and be heard.

h. The burden of proof shall be on the applicant, whether a hearing is held or not; provided, however, no application shall be denied without giving the applicant a right to a hearing according to the provisions of this act.

i. Evidence offered at hearings and all applications and related documents shall be open for public inspection at the office of the Board at reasonable times.

j. Within thirty (30) days of the completion of the public hearing on an application for permit the Board shall issue its order granting (with or without special conditions) or denying the application. In the event the Board denies the application it shall specify its reasons therefor and indicate any changes in the proposed activity that would make the applicant eligible to receive the permit. The decision of the Board shall become final unless appeal as provided for in Section 8 is taken therefrom.

Section 8. Appeals. An appeal may be taken by the applicant, or any person or corporation, municipal corporation, county or interested community group who has been aggrieved by such order, from the denial, suspension or revocation of a permit or the issuance of a permit or conditional permit and who has filed written protest or objections as specified in Section 7., within thirty (30) days after the mailing to the parties of the order of issuance, denial, suspension or revocation of any such permit, to the circuit court of any county having jurisdiction over the property which may be affected by any such proposed activity to be authorized by such permit.

a. If the court finds that the order appealed from is supported by substantial evidence, consistent with the public policy set forth in this act, is not arbitrary or capricious and does not violate constitutional rights, it shall affirm the Board's order.

b. Such appeal shall be brought by a complaint in writing, stating fully the reasons therefor, signed by an authorized party, and shall be served at least twelve (12) days before the return date upon the Board and upon all parties having an interest adverse to the appellant as designated under Section 8. Such appeals shall be brought to the next return day of the court after the filing of such appeal or may be returned to a day set by fiat of the court. A cost bond must be posted with sufficient sureties payable to the state in the sum of not less than One

Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), to be fixed in the order appealed from and to be filed with and approved by the director of the Board, who shall forthwith certify the same, together with a certified copy of the transcription record of the proceedings of the Board in the matter to the circuit court to which the appeal is taken, which shall thereupon become the record of the cause. An appeal to the circuit court as provided herein shall not stay the execution of an order of the Board; provided, however, that any party aggrieved by an order of the Board may petition the circuit court for an appeal with supersedeas and the court shall grant a hearing on said petition, and upon good cause shown may grant said appeal with supersedeas in which case the appellant shall be required to post a bond with sufficient sureties according to law in an amount to be determined by the court.

c. Upon the filing of an appeal, the clerk of the circuit court shall serve notice thereof upon the Board, whereupon the Board shall within sixty (60) days, or within such additional time as the court may for cause allow, from the service of such notice certify to the circuit court the record in the case, which record shall include a transcript of all testimony, all objections, all exhibits or copies thereof, all pleadings, proceedings, orders, findings and opinions entered in the case; provided, however, that the parties and the Board may stipulate that only a specified portion of the record shall be certified to the court as the record on appeal.

d. If, upon hearing such appeal, it appears to the court that any testimony has been improperly excluded by the Board or that the facts disclosed by the record are insufficient for the equitable disposition of the appeal, it shall refer the case back to the Board to take such evidence as it may direct and report the same to the court with the Board's findings of fact and conclusions of law.

e. Such appeal shall have precedence in the order of trial, and the circuit court may order the granting, denial, revocation, suspension or limitation of any permit or may remand to the Board for such order.

f. Appeals may be taken from the circuit court to the Supreme Court in the manner as now required by law.

Section 9. Initiation of Actions. The Attorney General of the State of Alabama at the request of the Board, a district attorney having jurisdiction, or a county attorney having jurisdiction may initiate the actions, as described in this act against any person or persons believed to be in violation of this act.

a. Jurisdiction and venue for judicial actions brought pursuant to this act shall lie in any county or counties in which the alleged violation occurs or in which property affected by such violation is located.

b. Any person who violates the provisions of this act shall be liable to the State of Alabama for the restoration of all affected coastal areas to their condition prior to such violation, insofar as such restoration is possible, and for any and all damages to such areas. The appropriate circuit court shall allow a reasonable time for completion of the restoration and may, in its discretion, order as punitive damages a sum not to exceed Five Hundred Dollars (\$500.00) per day for each day such violation has existed. The said circuit court may further order as punitive damages a sum not to exceed Five Hundred Dollars (\$500.00) per day for each day that the violation exists beyond the date set by said court in its order for the restoration of said area.

c. Threatened or actual violations of this act may be restrained by

order of the Circuit Court of the county in which any affected area of the coastal area or any part thereof lies. Such suits shall be initiated as provided for above.

d. Nothing in this act shall preclude other statutory or common law remedies by public or private parties against violators or non-violators of this act.

Section 10. Severability. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. Effective Date. This act shall become effective 120 days from the date of its approval by the Governor or from the date it otherwise becomes law.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Littleton	Pierce
Baker	Givhan	Lybrand	Register
Branyon	Harris	McLain	Shelby
Dominick	Hawkins	Malone	Vacca
Dozier	Horne	Melton	Wilder
Edington	Jones	Noonan	Wilson
Fine	King	Owen	—30

Nays:

—0

And said Bill, S. B. 311, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Baker	Gilmore	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Clark	Harris	McLain	Vacca
Dominick	Hawkins	Malone	Wilder
Dozier	Horne	Melton	Wilson
Edington	Jones	Noonan	—30

Nays:

—0

The Bill:

S. 261. To amend Act No. 68, H. 73, Acts of Alabama 1953, approved June 3, 1953, so as to provide for the establishment of prima facie evidence of intent to dispose of or convert property of another which is subject to lease.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Baker	Clark	Edington
Bailes	Branyon	Dominick	Fine

Foshee	Horne	Lybrand	Pierce
Gilmore	Jones	Melton	Shelby
Givhan	King	Noonan	Vacca
Harris	Lindsey	Owen	Wilder
Hawkins	Littleton	Pelham	Wilson

—27

Nays:

—0

The Bill:

S. 262. Providing for the creation of a lien on land and improvements in favor of those who rent or lease appliances, machinery or equipment for use in construction of improvements to land or in clearing or improving land.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Baker	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Dominick	Harris	Melton	Weaver
Dozier	Hawkins	Noonan	Wilder

—27

Nays:

—0

The Bill:

S. 263. To provide for the return of certain leased or rented personalty obtained by fraud.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan
Bailes	Fine	King	Owen
Baker	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Vacca
Dominick	Harris	McLain	Weaver
Dozier	Hawkins	Melton	

—26

Nays:

—0

The Bill:

S. 286. To provide for employment of Industrial Developers by the Alabama Development Office as non-merit system employees.

was taken up.

On motion of Mr. Bailes, further consideration of the Bill, S. B. 286, was carried over temporarily.

The Bill:

H. 243. To create a State Board of Auctioneers which shall administer and enforce the licensing of auctioneers in this state; to provide that licensees keep certain records; to assess fees; and to provide penalties for violations of this act.

was taken up.

On motion of Mr. Bailes, further consideration of the Bill, H. B. 243, was carried over to the next legislative day as Unfinished Business.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 104. BE IT RESOLVED BY THE SENATE That the following bills be made a special, paramount and continuing order of business, taking priority over all other bills on the calendar, and taking priority over the regular order of business until disposed of:

Bill No.	Page No.	
1. S. B. 707	171	Raises physical property inventory from \$10.00 to \$100.00
2. S. B. 709	171	Requires actuarial estimate to accompany all retirement legislation
3. S. B. 774	176	Mineral Resources Management Committee
4. S. B. 716	173	Gives revenue agents authority to serve papers
5. S. B. 710	172	Requires surety bonds from payers of sales tax
6. S. B. 708	171	Requires surety bond from payers of use tax
7. S. B. 721	175	Enables the State Purchasing Department to utilize GSA prices
8. S. B. 725	176	Creates office of space management
9. S. B. 720	202	Annual audit of banks and savings & loan associations by CPAs
10. S. B. 717	173	Creates division of data systems management
11. S. B. 712	173	Creates state-wide position as manager of printing and publication
12. S. B. 722	175	\$3.00 salt water fishing license
13. S. B. 724	176	Increases fee for duplicate license to \$1.50
14. S. B. 723	175	Increases fee for learners' permits to 50¢
15. S. B. 718	174	Raises administrative participation from gross income on state-owned lands from 5% to 7½%
16. S. B. 711	172	Increases cost of replacement license plates to \$3.00

And said Resolution was then adopted by the Senate.

SPECIAL ORDERS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the next Special Orders for today, the first of which was the Bill:

S. 707. To further regulate the procedure for keeping a record of certain non-consumable personal property owned by the State.

And said Bill, S. B. 707, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Register
Baker	Foshee	Littleton	Shelby
Branyon	Gilmore	McLain	Vacca
Carr	Givhan	Melton	Weaver
Dominick	Jones	Owen	Wilder
Dozier			

—24

Nays:

—0

The Bill:

S. 709. To provide that any legislative proposal affecting the Teachers' Retirement System of Alabama or the Employees' Retirement System of Alabama be accompanied by an actuarial estimate of all future contributions required of the State or members of the Retirement Systems.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Fine	Littleton	Register
Baker	Foshee	Lybrand	Shelby
Branyon	Givhan	Melton	Weaver
Carr	Jones	Owen	Wilder
Dominick	King	Pelham	Wilson

—23

Nays:

—0

The Bill:

S. 774. To create the Minerals Resource Management Committee; to provide for its membership, duties and responsibilities.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Branyon	Edington	Givhan
Bailes	Carr	Fine	Harris
Baker	Dominick	Gilmore	Jones

King	Lybrand	Owen	Register
Lindsey	McLain	Pelham	Shelby
Littleton	Melton	Pierce	Wilson

—23

Nays: —0

The Bill:

S. 716. To provide for service for writs of garnishment and all notices and orders issued pursuant thereto by the Department of Revenue by agents or employees of the Department of Revenue designated in writing by the Commissioner of Revenue.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce
Bailes	Foshee	Lybrand	Register
Baker	Givhan	McLain	Shelby
Branyon	Harris	Melton	Vacca
Dominick	Hawkins	Owen	Wilson
Edington	Jones	Pelham	

—22

Nays: —0

The Bill:

S. 710. To authorize the Commissioner of Revenue to require a surety bond from all taxpayers liable for the payment of use tax, penalties and interest levied by the provisions of Article 11, Sections 787 through 811 (4), Title 51, as amended, Code of Alabama 1940, for the purpose of securing the payment of any use tax, penalties or interest due or which may become due under the provisions of Article 11, and to provide that any person, firm or corporation who shall fail to file a surety bond after being notified to do so or who shall violate any of the provisions of said Article 11 may be restrained from continuing in business in this state.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 19; Nays 5.

Yeas:

Messrs.:	Edington	Lybrand	Register
Baker	Givhan	Melton	Shelby
Clark	Harris	Owen	Weaver
Dominick	Jones	Pelham	Wilder
Dozier	Lindsey	Pierce	Wilson

—19

Nays:

Messrs.:	Branyon	Foshee	McLain
Bailes	Fine		

—5

The Bill:

S. 708. To amend Section 22 of Act No. 100, Second Special Session 1959, as amended, so as to authorize the Commissioner of Revenue to

require a bond from applicants for a sales tax license for the purpose of securing the payment of any sales tax, penalties or interest due or which may become due under the provisions of said Act No. 100.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 19; Nays 7.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce
Baker	Harris	Melton	Register
Clark	Jones	Noonan	Shelby
Dominick	King	Owen	Weaver
Dozier	Lindsey	Pelham	Wilson

—19

Nays:

Messrs.:	Branyon	Foshee	McLain
Bailes	Fine	Littleton	Wilder

—7

The Bill:

S. 721. To provide for the purchase of materials, equipment, supplies or other personal property from the United States Government or any of its agencies without receiving competitive bids on such purchases.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Baker	Foshee	Littleton	Register
Branyon	Givhan	Lybrand	Shelby
Carr	Harris	Melton	Weaver
Clark	Horne	Noonan	Wilder
Dominick	Jones	Owen	Wilson
Dozier			

—28

Nays:

—0

The Bill:

S. 725. To create the Office of Space Management in the Department of Finance, to prescribe its powers, duties, and responsibilities, to authorize the hiring of a director and staff, and to provide for the compensation of such employees, and to make an appropriation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Carr	Fine	Hawkins
Bailes	Clark	Foshee	Horne
Baker	Dominick	Givhan	Jones
Branyon	Dozier	Harris	King

Lindsey	McLain	Owen	Register	
Littleton	Melton	Pelham	Shelby	
Lybrand	Noonan	Pierce	Wilder	
				—27

Nays: —0

The Bill:

S. 720. To require annual audits by licensed certified public accountants or licensed certified public accounting firms of banks and savings and loan associations; to require reports of such audits to be made to the State Superintendent of Banks; to authorize the State Superintendent of Banks to prescribe form and content of such audits and reports; and to prescribe penalties.

was taken up.

The Standing Committee on Constitution and Elections reported the following amendment to the Bill, S. B. 720, to-wit:

COMMITTEE AMENDMENT TO S. B. 720

Amend Section 1 of S. B. 720 by deleting the words "once each" and substituting "every other".

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Register	
Branyon	Givhan	Lybrand	Shelby	
Carr	Harris	McLain	Wilder	
Clark	Hawkins	Melton	Wilson	
Dominick	Jones	Owen		—26

Nays: —0

Mr. Littleton then offered the following amendment to the Bill, S. B. 720, as amended, to-wit:

AMENDMENT TO S. B. 720

Amend S. B. 720 to strike the words Savings & Loan Association wherever it appears in the bill.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Givhan	Lybrand	Register	
Branyon	Harris	McLain	Shelby	
Clark	Hawkins	Melton	Wilder	
Dominick	Jones	Owen	Wilson	
				—23

Nays: —0

And said Bill, S. B. 720, as thus amended, was then read a third

time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 20; Nays 5.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Clark	Harris	Lybrand	Register	
Dominick	Hawkins	McLain	Shelby	
Dozier	King	Owen	Wilson	
Fine				—20

Nays:

Messrs.:	Branyon	Melton	Wilder	
Baker	Jones			—5

The Bill:

S. 717. To create a Data Systems Management Division within the Finance Department, to provide its powers, duties, and authority, to authorize the employment of a Director of such division and additional employees and to provide for their compensation, to create an Advisory Committee and its composition, and to make appropriation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Givhan	Lindsey	Pierce	
Baker	Harris	Littleton	Register	
Carr	Hawkins	Lybrand	Shelby	
Clark	Horne	McLain	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier				—24

Nays:

—0

The Bill:

S. 712. To create the position of Manager of Printing and Publications in the Department of Finance, to provide for the functions, duties, and responsibilities of this position, to provide for the employment of a manager and additional employees and their compensation, and to make an appropriation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Baker	Givhan	Littleton	Register	
Branyon	Harris	Lybrand	Shelby	
Clark	Hawkins	McLain	Wilder	
Dominick	Horne	Melton	Wilson	
Edington	Jones	Owen		—26

Nays:

—0

The Bill:

S. 722. To provide for the cost, issuance and use of sport fishing licenses in the salt and brackish waters of this state.

was taken up.

On motion of Mr. Dozier, further consideration of the Bill, S. B. 722, was postponed temporarily.

The Bill:

S. 724. To amend further Section 74 of Title 36, Code of Alabama, (1940) as amended, so as to increase the fee for a duplicate driver's license to \$1.50.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 19; Nays 4.

Yeas:

Messrs.:	Harris	Lybrand	Register
Carr	Hawkins	Melton	Shelby
Clark	Jones	Noonan	Vacca
Dominick	King	Pelham	Wilder
Edington	Lindsey	Pierce	Wilson

—19

Nays:

Messrs.:	Branyon	Dozier	Fine
Bailes			

—4

The Bill:

S. 723. To amend further Section 64 of Title 36, Code of Alabama, (1940), as amended, so as to increase the fee for learner's permits to fifty cents.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Givhan	Littleton	Pierce
Bailes	Harris	Lybrand	Register
Carr	Hawkins	McLain	Shelby
Clark	Jones	Noonan	Vacca
Dominick	King	Owen	Wilder
Edington	Lindsey	Pelham	Wilson

—23

Nays: Messrs. Fine, Foshee

—2

The Bill:

S. 718. To amend Section 9 of Act No. 341, H. 26, Regular Session 1945 (Acts 1945, p. 554), which pertains to the Department of Conservation and Natural Resources' powers and duties with respect to lands owned by the State of Alabama, so as to provide that the maximum amount charged by said Department for administering, managing, protecting or developing state owned land will be raised from five percent

(5%) of the gross income derived from said land to seven and one-half percent (7½%).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 1.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Branyon	Givhan	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Clark	Hawkins	Melton	Vacca	
Dominick	Jones	Noonan	Wilder	
Dozier	King			—25

Nay: Mr. Fine. —1

The Bill:

S. 711. To amend Section 708, Title 51, Code of Alabama 1940, by increasing the payment for replacement motor vehicle license plates to three dollars, one dollar to be retained by the license inspector or the probate judge and two dollars to be remitted to the department of revenue.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Givhan	Lybrand	Register	
Bailes	Harris	McLain	Shelby	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	Noonan	Weaver	
Dominick	Jones	Owen	Wilder	
Dozier	King	Pelham	Wilson	
Gilmore	Lindsey	Pierce		—26

Nays: Messrs. Branyon, Fine. —2

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 105. BE IT RESOLVED BY THE SENATE That the following bills be made a special, paramount and continuing order of business, taking priority over all other bills on the calendar, and taking priority over the regular order of business until disposed of:

Bill No.	Page No.	
1. S. B. 527	54	Records of copper wire purchases
2. S. B. 223	128	Board of Education expenses
3. S. B. 735	163	Modernizes Probate Judge's fees
4. S. B. 86	50	Driver Education and Training
5. S. B. 393	160	Deputy District Attorney, Montgomery County

6. H. B. 292	116	Bar Exam Bill
7. S. B. 147	44	Reexamination applicants Alabama bar exam
8. S. B. 847	184	Nurse Practice Act
9. S. B. 579	119	Expenses Tax Assessors and Collectors
10. S. B. 337	20	Sale of Confiscated liquor
11. S. B. 142	84	Exemption inspection fee reclaimed oil
12. S. B. 133	127	Conditional appropriation, burned school
13. S. B. 525	58	To permit Boards of Education to operate joint educational facilities
14. S. B. 563	216	Irrigation District Bill
15. S. B. 691	216	Irrigation District Bill
16. S. B. 601	81	Clerks—Supreme Court
17. S. B. 81	76	Reduction Jefferson County Civil Service
18. S. B. 80	65	Perpetual Care Cemeteries
19. S. B. 456	79	Growth Policy Board
20. S. B. 883	254	Invasion of Privacy
21. S. B. 300	121	Veterans' wives benefits

And said Resolution was then adopted by the Senate.

SPECIAL ORDERS

The Senate proceeded to consideration of the next Special Orders for today, the first of which was the Bill:

S. 527. To provide for the keeping of records by junk dealers and scrap metal processors of the purchases of copper wire subject to inspection by sheriffs and state law enforcement officers, and to provide a penalty for the violation thereof.

Mr. Bailes offered the following amendment to the Bill, S. B. 527, to-wit:

AMENDMENT TO S. B. 527

Amend the title of S. B. 527 by inserting at the beginning of the title the following words and figures:

"To apply in all counties having less than 600,000 population according to the last or any subsequent federal census."

Also amend Section 1 of S. B. 527 by inserting at the beginning of said section the following words and figures:

"In all counties having less than 600,000 population according to the last or any subsequent federal census."

Which was adopted.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Foshee	Littleton	Register
Baker	Gilmore	Lybrand	Shelby
Branyon	Givhan	McLain	Vacca
Carr	Jones	Melton	Weaver
Dozier	King	Pelham	Wilder

—23

Nays: Messrs. Fine, Harris

—2

And said Bill, S. B. 527, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Baker	Foshee	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Malone	Vacca
Dominick	Hawkins	Melton	Wilder
Dozier	Horne	Noonan	Wilson

—27

Nays:

—0

The Bill:

S. 223. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce
Bailes	Foshee	Lindsey	Register
Baker	Gilmore	Lybrand	Shelby
Branyon	Givhan	McLain	Vacca
Dominick	Harris	Malone	Wilder
Dozier	Hawkins	Melton	Wilson
Edington	Jones	Noonan	

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and sends same herewith to the Senate:

S. 170. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to pre-

scribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Also:

S. 190. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 191. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 192. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 193. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 194. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 678. Relating to Counties having a population of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 566. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Also:

S. 584. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Morgan County.

Also:

S. 610. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and sends same herewith to the Senate:

S. 634. Relating to counties having a population of not less than 23,934 nor more than 24,460: To regulate further the allowances, fees, deputies, equipment and maintenance of the Sheriff's Department.

Also:

S. 686. To amend Act No. 1405, S. 1058, Regular Session 1971 (Acts 1971, p. 2373), which act provides for levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; provides for the administration of the act and the collection and the distribution of the proceeds of the tax; and prescribes penalties for violation, in counties having a population of not less than 52,500 nor more than 54,000.

Also:

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Also:

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Also:

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

Also:

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

Also:

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

Also:

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

Also:

S. 790. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; setting the compensation of supernumerary probate judges and providing for a supplement from the general funds of such counties under certain circumstances.

Also:

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Also:

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Also:

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Also:

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Also:

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

Also:

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham, Drake, Fite, Mims, McCorquodale, Crawford, Bank, Grainger and Williams:

H. 1560. To further amend Section 2 of Act No. 100, H. 94, Second Special Session 1959, relating to revenue, to exclude the sales tax exemption on certain products sold in vending machines and substitute therefor a tax on all purchases for resale, of food and food products, not including beverages other than coffee, milk, milk products and substitutes therefor, through coin operated dispensing machines.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1560. To the Committee on Commerce, Transportation and Common Carriers.

BILLS ON THIRD READING RESUMED

The Bill:

S. 735. To amend Section 29, Title II, Code of Alabama, 1940, relating to the fees of probate judges.

was taken up.

Mr. Dozier moved that further consideration of the Bill, S. B. 735, be indefinitely postponed.

Mr. Lindsey moved that the motion to indefinitely postpone be laid on the table, which motion was lost.

Yeas 11; Nays 18.

Yeas:

Messrs.:	Lindsey	Melton	Shelby	
Clark	Littleton	Owen	Weaver	
Harris	Lybrand	Pelham	Wilson	
				—11

Nays:

Messrs.:	Dominick	Hawkins	Pierce	
Bailes	Dozier	Horne	Register	
Baker	Fine	Jones	Vacca	
Branyon	Gilmore	King	Wilder	
Carr	Givhan	Malone		—18

On substitute motion of Mr. Lindsey, further consideration of the Bill, S. B. 735, was postponed until the next Legislative Day.

The Bill:

S. 86. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the express purpose of instituting and conducting a program of preclicensing driver education and training.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Owen	
Baker	Foshee	Lindsey	Pelham	
Branyon	Givhan	Littleton	Pierce	
Carr	Harris	Lybrand	Vacca	
Clark	Hawkins	Malone	Weaver	
Dominick	Horne	Melton		—26

Nays:

—0

The Bill:

S. 393. To amend Title 13, Section 255, Code of Alabama, 1940, as amended, relating to the appointment of deputy district attorneys for the Fifteenth and Twenty-sixth Judicial Circuits of Alabama, and their salaries.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, S. B. 393, to-wit:

COMMITTEE AMENDMENT TO S. B. 393

Strike synopsis in its entirety and insert in lieu thereof:

SYNOPSIS: THIS BILL WILL ALLOW THE 15TH JUDICIAL CIRCUIT TWO FULL-TIME DEPUTY DISTRICT ATTORNEYS AND TWO PART-TIME DEPUTIES INSTEAD OF ONE FULL-TIME AND THREE PART-TIME DEPUTIES AS THE LAW NOW ALLOWS. IT WILL COST THE STATE \$8,800.00.

On motion of Mr. Pierce, said amendment was laid on the table.

And said Bill, S. B. 393, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Harris	Lybrand	Pelham	
Bailes	Horne	McLain	Pierce	
Baker	Jones	Malone	Register	
Branyon	King	Melton	Shelby	
Carr	Lindsey	Noonan	Vacca	
Edington	Littleton	Owen	Wilder	
Fine				—24

Nays:

—0

The Bill:

H. 292. To prohibit a limit on the number of times that a person, otherwise qualified, may take the Alabama Bar Examination.

Was read a third time at length and passed.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Baker	Carr	Dozier
Bailes	Branyon	Clark	Edington

Fine	Lindsey	Owen	Vacca	
Foshee	Littleton	Pelham	Weaver	
Horne	McLain	Register	Wilder	
Jones	Malone	Shelby	Wilson	
King	Noonan			—25

Nays:

Messrs.:	Dominick	Harris	Melton	—3
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The Bill:

S. 147. To further provide for the re-examination of applicants taking the Alabama Bar Exam for admission to practice law and to repeal all laws, parts of laws, rules, regulations, and other requirements in conflict with this act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Littleton	Pelham	
Baker	Foshee	Lybrand	Pierce	
Branyon	Harris	McLain	Register	
Carr	Horne	Malone	Vacca	
Clark	Jones	Noonan	Weaver	
Dozier	King			—25

Nays:

Messrs.:	Dominick	Melton	Shelby	—3
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The Bill:

S. 847. To amend Sections 2, 3, 5, 6, 7, 8 and 10 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, and to repeal Section 4 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, said Act creating the Board of Nursing, relating to Nursing and the practice of Nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the disciplining of licensees and fixing penalties for violation of said Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Hawkins	McLain	Register	
Branyon	Horne	Malone	Shelby	
Carr	Jones	Melton	Weaver	
Clark	King	Noonan	Wilder	
Dominick	Lindsey	Owen	Wilson	
Edington				—28

Nays:

—0

The Bill:

S. 579. To authorize the governing bodies of the several counties of the State to pay all expenses incurred by the Tax Assessor, Tax Collectors or other like official by membership in their State organization.

was taken up.

Mr. Fine offered the following amendment to the Bill, S. B. 579, to-wit:

AMENDMENT TO S. B. 579

Amend S. B. 579 by amending the title and Section 1 by adding therein "Circuit Clerks and Registers" after the word "Tax Collectors".

Which was adopted.

Yeas 23; Nays 1.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Littleton	Pelham
Baker	Givhan	Lybrand	Register
Branyon	Hawkins	McLain	Shelby
Clark	Horne	Melton	Wilder
Dozier	Jones	Noonan	Wilson
			—23

Nay: Mr. Pierce —1

Mr. McLain then offered the following amendment to the Bill, S. B. 579, as amended, to-wit:

AMENDMENT TO S. B. 579

Amend S. B. 579 as follows:

Amend Section 2 and 3 by striking "shall" where it appears and substituting "may" for same.

Amend Section 4 by striking "shall" wherever it appears and substituting "may" for same.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce
Bailes	Givhan	McLain	Register
Branyon	Hawkins	Melton	Shelby
Carr	Jones	Noonan	Vacca
Clark	King	Owen	Wilder
Edington	Lindsey	Pelham	Wilson
Fine	Littleton		
			—25

Nays: —0

And said Bill, S. B. 579, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 1.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Givhan	Littleton	Register
Baker	Harris	Lybrand	Shelby
Branyon	Hawkins	McLain	Vacca
Clark	Horne	Melton	Wilder
Edington	King	Noonan	Wilson
Fine			

—24

Nay: Mr. Pierce

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, vetoing the bill, H. 377, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill Number 377, without the Governor's approval.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 14 DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 377, without my signature and approval.

Respectfully submitted,

GEORGE C. WALLACE,
Governor of Alabama.

And the bill:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

was again read at length and passed by the House, the Governor's veto to the contrary notwithstanding, by a vote of Yeas 55, Nays 27, which was a majority of the whole number elected to the House.

And said bill, together with the veto message proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

The Senate reconsidered the Bill, H. B. 377, the title of which is set out in the foregoing Message from the House.

And on motion of Mr. Bailes, the Bill was again read at length and passed, the Governor's objections to the contrary notwithstanding.

Yeas 22; Nays 4.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Carr	Hawkins	Malone	Shelby	
Dominick	Jones	Melton	Vacca	
Dozier	King	Noonan	Wilder	
Edington	Lindsey	Pelham		—22

Nays:

Messrs.:	Clark	Fine	Givhan	
Branyon				—4

Which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 337. To provide for the resale by the Alcoholic Beverage Control Board of certain confiscated liquors and beverages; and to provide for the disposition of funds accruing therefrom.

was taken up.

Mr. Pelham offered the following substitute for the Bill, S. B. 337, to-wit:

SENATE SUBSTITUTE FOR S. B. 337

A BILL TO BE ENTITLED AN ACT

To provide for the sale to the Alcoholic Beverage Control Board of certain confiscated liquors and beverages; and to provide for the disposition of funds accruing therefrom.

Be It Enacted by the Legislature of Alabama:

Section 1. All confiscated liquors and beverages, which the Alcoholic Beverage Control Board will accept shall not be destroyed but shall be deposited with the Alcoholic Beverage Control Board for resale. All other liquors and beverages shall be disposed of as otherwise provided by law.

Section 2. The Alcoholic Beverage Control Board shall immediately upon receipt of such liquors or beverages determine the reasonable value

of the amount thereof and issue its warrant for the payment of same to the custodian of the county funds in the county where seized or, if seized by municipal law enforcement officers, then to the custodian of funds of the municipality, payable to the general fund of the county or the municipality as the case may be.

Section 3. Nothing in this act shall apply to liquors or beverages illegally made, manufactured or distilled in an unlicensed distillery, brewery or winery, and all such liquors or beverages shall be disposed of as otherwise provided by law.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws and parts of laws in conflict with this act are hereby repealed and all conflicting provisions of Article 10, Chapter 3, Title 29, Code of Alabama 1940, as amended, are superseded to the extent of such conflict.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Edington	King	Noonan
Bailes	Foshee	Lindsey	Pelham
Baker	Gilmore	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Harris	McLain	Shelby
Dominick	Hawkins	Malone	Vacca
Dozier	Jones	Melton	Wilson

—27

Nay: Mr. Fine

—1

And said Bill, S. B. 337, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Foshee	King	Pelham
Bailes	Gilmore	Lindsey	Pierce
Baker	Givhan	Littleton	Register
Branyon	Harris	Lybrand	Shelby
Carr	Hawkins	McLain	Vacca
Clark	Horne	Melton	Wilder
Dominick	Jones	Noonan	Wilson
Edington			

—28

Nay: Mr. Fine.

—1

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

S. 412. To amend Section 9 of Act No. 1403, H. 46, Regular Session (Acts 1971, p. 2363), an act providing for inspection of certain petroleum products, so as to provide for the removal of the fifteen cent per gallon inspection fee on re-refined, recycled, reprocessed, or reclaimed oil.

was taken up.

Mr. Jones moved that further consideration of the Bill, S. B. 412, be postponed until the next Legislative Day.

Mr. Dominick moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 9; Nays 16.

Yeas:

Messrs.·	Dominick	Hawkins	Malone	
Bailes	Edgington	Horne	Melton	
Clark	Harris			—9

Nays:

Messrs.:	Jones	McLain	Pierce	
Baker	Lindsey	Noonan	Register	
Branyon	Littleton	Owen	Wilder	
Carr	Lybrand	Pelham	Wilson	
Dozier				—16

The question was then on the motion of Mr. Jones, which was adopted, and further consideration of the Bill, S. B. 412, was postponed until the next Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1725. Relating to counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

Also:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Also:

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

Also:

H. 1487. Relating to the twenty-seventh judicial circuit of Alabama, providing for two assistant district attorneys and for county supplement to the existing salary of the district attorney of said judicial circuit.

Also:

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

Also:

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Also:

H. 1152. To impose a twenty per cent (20%) tax on all alcoholic beverages purchased from the Alcoholic Beverage Control Board for the purpose of resale outside the police jurisdiction of any incorporated municipality located in any county having a population of not less than 60,000 nor more than 65,000.

Also:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Also:

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

Also:

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 1834. To provide for the creation of public corporations in Counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Also:

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

Also:

H. 1882. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

Also:

H. 1787. To provide expense allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

Also:

H. 1789. Relating to all counties having populations of not less than

16,245 nor more than 16,300; providing additional clerk hire allowances for the offices of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

Also:

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

Also:

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

Also:

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "An Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation."

Also:

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against

forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

Also:

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendments to such municipalities.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 170. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Also:

S. 190. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 191. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 192. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 193. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 194. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 566. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Also:

S. 584. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Morgan County.

Also:

S. 610. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Also:

S. 634. Relating to counties having a population of not less than 23,934 nor more than 24,460: To regulate further the allowances, fees, deputies, equipment and maintenance of the Sheriff's Department.

Also:

S. 678. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 686. To amend Act No. 1405, S. 1058, Regular Session 1971 (Acts 1971, p. 2373), which act provides for levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or

brewed beverages; provides for the administration of the act and the collection and the distribution of the proceeds of the tax; and prescribes penalties for violation, in counties having a population of not less than 52,500 nor more than 54,000.

Also:

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Also:

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

Also:

S. 790. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; setting the compensation of supernumerary probate judges and providing for a supplement from the general funds of such counties under certain circumstances.

Also:

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

Also:

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

Also:

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

Also:

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be

subject to the recommendation and approval of the probate judge of said county.

Also:

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Also:

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Also:

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Also:

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

Also:

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

JAMES S. CLARK,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 133. To make appropriations from the State Treasury for capital improvements.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 133, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 133

A BILL
TO BE ENTITLED
AN ACT

To make appropriations from the State Treasury for capital improvements.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated from monies in the State Treasury to the credit of the funds designated herein for the fiscal year ending September 30, 1974, to be used for capital improvements only, the following amounts for the specific projects.

Section 2. BOARD OF COSMETOLOGY:

For the construction and equipping a
Cosmetology Building 50,000.00

The above appropriation shall be paid from the Board of Cosmetology Fund.

Section 3. CITY AND COUNTY BOARDS OF EDUCATION:

Barbour County:

For the construction and equipping of
Louisville High School 120,000.00

Bibb County:

For the construction and equipping of
a school at Randolph 150,000.00

Blount County:

For the construction and equipping of
Southview Elementary School 250,000.00

Houston County:

For the construction and equipping of
a school at Wicksburg 225,000.00

Lamar County:

For the construction and equipping of
a school at Sulligent 450,000.00

Midfield City:

For reconstruction and equipping the
Rutledge Junior High School 400,000.00

Sylacauga City:

For reconstruction and equipping of
a Junior High School at Sylacauga 300,000.00

Marion County School Board:

For constructing and equipping a school
in Marion County 300,000.00

Walker County:

For the fiscal year ending September 30, 1974:
For construction of a Junior High School
at Sumiton 450,000.00

The appropriations made in this section shall be paid from the Alabama Special Educational Trust Fund and are conditional upon the condition of the Fund and the approval of the Governor.

Section 4. FARMERS' MARKET AUTHORITY:

There is hereby appropriated to the Farmers' Market Authority from the General Fund, for Capital Outlay, conditional upon the condition of the Treasury and the approval of the Governor, for each of the fiscal years ending respectively September 30, 1974 and September 30, 1975

200,000.00

Section 5. All appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 6. This Act shall become effective October 1, 1973.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Baker	Foshee	Lybrand	Register
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Malone	Vacca
Clark	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	King	Owen	Wilson

—31

Nays:

—0

Mr. Foshee offered the following amendment to the Bill, S. B. 133, as amended by the substitute, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Amend S. B. 133 as amended by adding to Section 3 the following:

Crenshaw County:

For reconstruction of Highland Home High School.....100,000.00

Opp City System:

For reconstruction of Opp Middle School100,000.00

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register
Bailes	Foshee	Lybrand	Shelby
Baker	Givhan	McLain	Vacca
Branyon	Hawkins	Malone	Weaver
Carr	Horne	Melton	Wilder
Clark	King	Noonan	Wilson
Edington	Lindsey	Owen	

—26

Nays:

—0

Mr. Wilson offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO SENATE BILL 133, AS AMENDED

Amend Section 3 of S. B. 133 by inserting between Houston County and Lamar County the following:

Jefferson County:

For the construction and equipping of

Hewitt-Trussville High School 400,000.00

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Noonan
Bailes	Edington	King	Owen
Baker	Fine	Littleton	Register
Branyon	Foshee	Lybrand	Shelby
Carr	Gilmore	McLain	Weaver
Clark	Givhan	Malone	Wilder
Dominick	Hawkins	Melton	Wilson

—27

Nays:

—0

Mr. Wilson then offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Insert the following new section immediately after Section 4 and renumber the remaining sections accordingly:

"Section 5. Building Commission to be expended with the approval of the State Capitol Preservation Commission:

For the fiscal year ending September 1, 1974:

To restore the Senate and House Chambers to their original condition \$ 45,352.00

To provide for and improve the House and Senate sound and voting systems 72,800.00

To restore the galleries in the House and Senate Chambers and correct their structural deflections 16,195.00

To construct stairways and elevators to link all floors in wings of Capitol Building 84,000.00

To renovate and improve the third floor attic spaces above the House and Senate clerical areas in order to create new committee rooms, clerical space and individual offices 403,200.00

To renovate the mechanical and electrical systems in the Capitol building, including the construction of new underground mechanical equipment rooms and the expansion of the existing plant 840,000.00

To provide for miscellaneous architectural accommodations necessitated by mechanical and electrical systems renovation in Capitol building 183,439.00

To provide new interior building lighting system for capitol building, including restoration of original fixtures 123,200.00

The appropriation made in this section shall be paid from the State General Fund and is conditional upon the condition of the Fund with the approval of the Governor."

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	King	Noonan
Bailes	Fine	Lindsey	Owen
Baker	Foshee	Littleton	Register
Branyon	Gilmore	Lybrand	Shelby
Carr	Givhan	McLain	Vacca
Clark	Hawkins	Malone	Wilder
Dominick	Horne	Melton	Wilson
Dozier			

—28

Nays:

—0

Mr. Wilson then offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Amend the Substitute for S. B. 133 in Section 3 of said bill immediately following the appropriation to Walker County for the construction of a school at Sumiton by inserting the following:

“Tallapoosa County:

For the construction, repair, and maintenance of schools \$200,000.00”

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Edington	King	Noonan
Bailes	Fine	Littleton	Owen
Baker	Foshee	Lybrand	Register
Branyon	Givhan	McLain	Weaver
Carr	Hawkins	Malone	Wilder
Dozier	Horne	Melton	Wilson

—23

Nays:

—0

Mr. Lybrand offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Amend S. B. 133 by adding thereto in Section 3 the following:

Anniston City Board of Education.....\$500,000.00
for construction and maintenance of schools

Franklin County Board of Education.....\$250,000.00
for construction of a gymnasium at Red Bay

Which was adopted.

Yeas 18; Nays 5.

Yeas:

Messrs.:	Foshee	Lybrand	Register
Bailes	Hawkins	McLain	Vacca
Baker	Horne	Malone	Weaver
Carr	Lindsey	Melton	Wilder
Fine	Littleton	Owen	

—18

Nays:

Messrs.:	Clark	King	Wilson	
Branyon	Edington			—5

Mr. Harris offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Amend Section 3 of S. B. 133, as amended, by deleting all parts thereof except the final paragraph and substituting therefor the following:

"To each system for construction and equipping
of schools\$400,000."

On motion of Mr. Wilson, said amendment was laid on the table.

Yeas 19; Nays 8.

Yeas:

Messrs.:	Fine	King	Shelby	
Bailes	Gilmore	Noonan	Vacca	
Branyon	Givhan	Owen	Weaver	
Dominick	Hawkins	Pelham	Wilder	
Edington	Horne	Register	Wilson	—19

Nays:

Messrs.:	Harris	Littleton	Malone	
Baker	Lindsey	Lybrand	Melton	
Carr				—8

Mr. Horne offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Amend S. B. 133, as amended, by renumbering the present sections 5 and 6 to 6 and 7 and inserting the following:

"Section 5. Valley State Junior College:

There is hereby appropriated to the Junior College and Trade School Authority from the Alabama Special Education Trust Fund for the construction and equipping of a new junior college within the police jurisdiction of the City of Lanett\$500,000

Mr. Bailes moved that said amendment be laid on the table, which motion was lost.

Yeas 5; Nays 20.

Yeas:

Messrs.:	Dominick	King	Pierce	
Bailes	Jones			—5

Nays:

Messrs.:	Hawkins	Malone	Register	
Baker	Horne	Melton	Shelby	
Carr	Lindsey	Noonan	Vacca	
Clark	Littleton	O'Bannon	Wilder	
Fine	Lybrand	Pelham	Wilson	
Givhan				—20

And said amendment was then adopted by the Senate.

Yeas 19; Nays 4.

Yeas:

Messrs.:	Fine	McLain	Owen
Bailes	Givhan	Malone	Register
Baker	Horne	Melton	Vacca
Carr	Littleton	Noonan	Wilder
Clark	Lybrand	O'Bannon	Wilson

—19

Nays:

Messrs.:	King	Pierce	Shelby
Dominick			

—4

Mr. Owen then offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Amend Substitute to S. B. 133, Section 3, by adding the following:

Baldwin County:

For the construction and equipping of a school at
Gulf Shores\$200,000.00

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Givhan	McLain	Pelham
Bailes	Hawkins	Malone	Register
Baker	Horne	Melton	Vacca
Branyon	Lindsey	Noonan	Wilder
Edington	Littleton	O'Bannon	Wilson
Fine	Lybrand	Owen	

—22

Nays:

—0

Mr. Malone offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Add to Section 3:

"Etowah County:

For the construction and equipping of a school at
Southside in Etowah County\$250,000.00

For the construction and equipping of Gadsden
High School\$250,000.00"

Which was adopted.

Yeas 21; Nays 1.

Yeas:

Messrs.:	Carr	Givhan	Littleton
Bailes	Edington	Horne	Lybrand
Baker	Fine	Lindsey	McLain

Malone	O'Bannon	Register	Vacca	
Melton	Owen	Shelby	Wilson	
Noonan	Pierce			—21

Nay: Mr. Branyon —1

Mr. McLain offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133, AS AMENDED

Amend Section 3 of S. B. 133 by inserting between Houston and Jefferson County the following:

"Madison County:

For the construction and equipping of Bob Jones	
High School	\$250,000

For general maintenance, Huntsville City	
School System	\$250,000"

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Bailes	Fine	Noonan	Shelby	
Baker	Horne	O'Bannon	Vacca	
Branyon	Jones	Owen	Wilder	
Carr	Lindsey	Pelham	Wilson	
Dozier	Littleton	Pierce		—22

Nays: —0

Mr. King then offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133 AS SUBSTITUTED BY THE FINANCE AND TAXATION COMMITTEE

Amend S. B. 133, as amended, by adding the following section after Section 4 of said bill and renumber Sections 5 and 6 accordingly:

"Section 5. Jefferson County:

For construction of a swine pavilion at the Alabama State Fair	
Grounds, Birmingham, Alabama	\$ 50,000.00

The appropriation made in this section shall be paid from the State General Fund, conditional upon the condition of the Treasury and the approval of the Governor, for the fiscal year ending September 30, 1974."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Pelham	
Bailes	Givhan	Lybrand	Pierce	
Baker	Hawkins	McLain	Register	
Carr	Horne	Melton	Shelby	
Clark	King	Noonan	Weaver	
Edington	Lindsey	Owen	Wilder	
Fine				—24

Nays: —0

Mr. Littleton offered the following amendment to the Bill, S. B. 133, as amended, to-wit:

AMENDMENT TO S. B. 133

Amend S. B. 133 by adding to Section 3 the following:

Chilton County	
For construction of Thorsby High School Auditorium.....	\$250,000.00
Choctaw County Board of Education for construction	
of an elementary school at Butler, Alabama.....	\$250,000.00
Sylacauga City for reconstruction and equipping of the	
City of Sylacauga.....	\$250,000.00
(In addition to any other appropriation)	
Autauga County School Board for construction	
and maintenance.....	\$250,000.00
Coosa County School Board for construction	
and maintenance.....	\$250,000.00
Shelby County School Board for construction	
and maintenance.....	\$250,000.00
Elmore County Schools for construction	
and maintenance.....	\$250,000.00

Mr. Wilson moved that further consideration of the Bill, S. B. 133, as amended, be indefinitely postponed.

On motion of Mr. Fine, the motion to indefinitely postpone was laid on the table.

The question was then on the Littleton amendment to the Bill, S. B. 133, as amended, and said amendment was then adopted by the Senate.

Yeas 23; Nays 5.

Yeas:

Messrs.:	Foshee	Littleton	Pelham
Baker	Givhan	Lybrand	Register
Carr	Hawkins	McLain	Shelby
Dominick	Horne	Malone	Vacca
Dozier	Jones	Melton	Weaver
Fine	Lindsey	Noonan	Wilder

—23

Nays:

Messrs.:	Branyon	King	Wilson
Bailes	Gilmore		

—5

FURTHER CONSIDERATION OF S. B. 735

Mr. Lindsey moved that the Senate reconsider the vote by which the Bill:

S. 735. To amend Section 29, Title II, Code of Alabama, 1940, relating to the fees of probate judges.

was postponed until the next Legislative Day.

Mr. Bailes moved that the motion to reconsider be laid on the table, which motion was lost.

Yeas 13; Nays 18.*Yeas:*

Messrs.:	Dominick	Hawkins	Malone
Bailes	Dozier	Jones	Pierce
Baker	Edington	King	Vacca
Carr	Gilmore		

—13

Nays:

Messrs.:	Harris	Melton	Shelby
Branyon	Horne	Noonan	Weaver
Clark	Lindsey	O'Bannon	Wilder
Foshee	Littleton	Owen	Wilson
Givhan	Lybrand	Register	

—18

Mr. Bailes moved as a substitute motion that the Lindsey motion (to reconsider the vote by which the Bill, S. B. 735, was postponed to the next Legislative Day) be postponed until the next Legislative Day, which motion was lost.

Yeas 14; Nays 17.*Yeas:*

Messrs.:	Cook	Gilmore	Malone
Bailes	Dominick	Hawkins	Pierce
Baker	Dozier	Jones	Wilson
Carr	Edington	King	

—14

Nays:

Messrs.:	Harris	Noonan	Register
Branyon	Lindsey	O'Bannon	Shelby
Clark	Littleton	Owen	Vacca
Foshee	Lybrand	Pelham	Wilder
Givhan	Melton		

—17

The question was then on the motion of Mr. Lindsey, which was adopted, and the Senate reconsidered the vote by which further consideration of the Bill, S. B. 735, was postponed until the next Legislative Day.

ADJOURNMENT

At 5 o'clock P. M., on motion of Mr. Pelham, and pending further consideration of H. B. 243 and S. B. 735, the Senate adjourned until Tuesday, August 28, 1973, at 8:30 A. M.

THIRTY-THIRD LEGISLATIVE DAY

TUESDAY, AUGUST 28, 1973

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Honorable George Lewis Bailes, Jr., 12th Senatorial District.

ROLL CALL

Present:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Melton	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—35

JOURNAL

On motion of Mr. Bailes, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,
Chairman

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Second Legislative Day was approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stokes:

H. 1191. To authorize the governing bodies of the several counties of Alabama to pay all expenses incurred by the Circuit Court Clerks and Registers or other like official by membership in their State organization.

Also:

By Messrs. Dill, Falkenburg, Doss, Erdreich and Boutwell:

H. 777. To amend Section 2 of Act Number 106 of the 1959 Regular Session of the Legislature of the State of Alabama.

Also:

By Messrs. Dill, Falkenburg, Doss, Erdreich and Boutwell:

H. 778. To amend Section 12 of Act No. 107 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Also:

By Messrs. Dill, Falkenburg, Doss, Erdreich and Boutwell:

H. 779. To amend Section 3 of Act Number 109 of the 1959 Regular Session of the Legislature of the State of Alabama amending Section 262 of Title 46 of the Code of Alabama 1940 (Recomp 1958).

Also:

By Mr. Cross:

H. 1143. To further amend Act No. 685, S. 364, Regular Session 1965, (Acts 1965, p. 1246), so as to further define the procedure concerning the organization of Water Management Districts.

Also:

By Mr. Hobbie:

H. 299. To make a supplemental appropriation to the State Agency for Social Security for the fiscal year ending September 30, 1973.

Also:

By Messrs. Hardin and Bassett:

H. 1549. To further amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), as amended, relating to the Alabama Historical Commission by increasing the Commission membership.

Also:

By Messrs. McCluskey, Casey, Coshatt, Taylor, Nettles, Crowe, Easters, Wise, Barkett, Roberts, Brassell, Mims, Stokes, Fite, Grey (D) and Waggoner:

H. 793. To amend Section 12, of Title 48, of the Code of Alabama, 1940, as amended, which fixes the compensation of the president and the associate members of the Alabama Public Service Commission.

Also:

By Messrs. Hobbie, Turner, Ellis, Wallace, Easters, Barkett, Timmons, Callahan, Jones (F), Adwell, Naramore, Collins, Hill, Culver, Bank, Waggoner, Crowe, Smith (P) and Robertson:

H. 491. To make it a felony to use any firearm or knife to com-

mit any crime under the laws of this state; to prescribe the punishment therefor; and to provide that such crime and punishment is in addition to the crime committed by the use of any firearm or knife and the punishment prescribed for such crime.

Also:

By Mr. Collins:

H. 107. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and bylaws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the assessment of taxes and other public charges to unit owners; liens for labor and materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act, Act No. 206, H. 81, First Special Session (Acts 1964, p. 266).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1191, 793, 491 and 107. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 777, 778 and 779. To the Committee on Health.

H. B.'s 1143 and 1549. To the Committee on Conservation.

H. B. 299. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hobbie, Ellis, Easters, Barkett, Timmons, Taylor, Callahan, Jones (F), Adwell, Naramore, Collins, Hill, Culver, Bank, Waggoner, Crowe, Smith (P) and Robertson:

H. 488. To require the granting of either compensatory leave or overtime pay to all State, county and municipal law enforcement officers.

Also:

By Messrs. Hobbie, Burgess, Drake, Jones (F), Barron, Stubbs, Turnham, Taylor, Easters, Timmons, Adwell, Waggoner, Culver, Bank, Callahan, Williams and Smith (P):

H. 939. To provide for a guaranteed minimum starting wage or salary for all state, county, municipal, or political subdivision law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Also:

By Messrs. Hobbie, Headley, Carnes, Wynot, Barron, St. John, Drake, Merrill, Harris, Casey, Culver, Grainger, Easters and Waggoner:

H. 1255. Relating to law enforcement officers; requiring any unit or agency of state, county or municipal government which employs any duly authorized law enforcement officer to reimburse such officer who is sued or prosecuted for any act committed or done within the line and scope of his duties, for legal counsel fees, witness fees and court costs paid in defense of such suit or prosecution; authorizing the attorney general to prescribe the method of determining whether the act in question was committed in line of duty; and to repeal conflicting laws.

Also:

By Mr. Cauthen:

H. 971. To amend Section 2 of Act No. 350, Regular Session 1945 (Acts 1945, p. 565), authorizing the governing body of any county or certain municipalities to create a recreation board, so as to authorize the governing body of any such county or municipality, within the discretion of any such governing body, to increase the members of such recreation boards from five to not less than five nor more than seven.

Also:

By Messrs. Cauthen and Williams:

H. 1385. To provide for the creation of public corporations as political subdivisions of the State by initiation of City and County governments within the various counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the Judge of Probate in the County where the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as

debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with the Judge of Probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other State and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Also:

By Messrs. Slate, Perloff, Doss, Robertson and St. John:

H. 1829. Pursuant to constitutional amendment CCCXVII ratified on January 27, 1972, this bill creates the Judicial Retirement Fund, and provides for the administration and supervision thereof; provides for the qualifications for retirement benefits for certain judicial officers; provides for the payment of retirement and disability benefits from the fund to qualified individuals; and provides for appropriations to carry out the provisions of the Act.

Also:

By Messrs. Mims, Falkenburg, Doss, Connell, Reed (T), Bank, McNair, Boutwell, Erdreich, McMillan, Burgess, Timmons and Adwell:

H. 707. To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Also:

By Messrs. Mims, Falkenburg, Connell, Reed (T), Bank, Doss, McNair, Boutwell, Erdreich, McMillan, Burgess, Adwell and Timmons:

H. 710. To amend Code of Alabama 1958 Recompiled, Title 45, Section 54, which section pertains to the providing of a convict with clothing and money upon discharge, so as to provide said convict with money for the least expensive mode of public transportation back to the point of sentencing.

Also:

By Mr. Callahan:

H. 1220. Relating to crimes and criminals; providing for the regulation of abortion and the criteria for determining when it is legal and illegal; providing punishment for illegal abortion; providing for the filing and keeping of records required by this act; providing that participation in performing or effecting an abortion is not mandatory; providing for punishment for violation of the provisions hereof; providing for the care of infants born live following an abortion attempt; repealing Section 9, Title 14, Code of Alabama 1940.

Also:

By Mr. Downing:

H. 1913. To amend Section 24 of Act No. 3, H. B. 4, 2nd Special Session 1971 (Acts 1971, p. 4104), entitled "To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973" which section relates to the annual appropriations for the support, maintenance, and development of public education at the University of South Alabama, so as to further

regulate the annual appropriation to said University for the fiscal year ending September 30, 1973.

Also:

By Messrs. Callahan and Downing:

H. 1070. To provide that a licensee of the Alabama Alcoholic Beverage Control Board shall not be required to give a sales check or receipt showing the price of the alcoholic beverage(s) consumed by any of its customers, guests or members.

Also:

By Messrs. Callahan and Downing:

H. 1072. To amend Section 21, Title 29, Code of Alabama 1940, which relates to sales of liquor by hotel, restaurant or club licensees, so as to remove the provision that hotels, clubs, and restaurants cannot maintain a counter or bar.

Also:

By Messrs. Callahan and Downing:

H. 1074. To amend Sections 13, 15, 21 and 22 of Title 29, which sections relate to hotel, restaurant and club liquor, beer and wine licenses for sale of such beverages, so as to allow such liquor licensees to sell said beverages for consumption either on or off the premises in which the sale is made.

Also:

By Messrs. Downing, Callahan and Carnes:

H. 1076. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population, so as to change such classification.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 488, 939 and 1255. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 971. To the Committee on Conservation.

H. B.'s 1385 and 1220. To the Committee on Health.

H. B.'s 1829, 707, 710, 1913, 1070, 1072, 1074 and 1076. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McCorquodale:

H. J. R. 233. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 28, 1973.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 233, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bills:

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-Third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

Also:

H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

Also:

H. 1596. Relating to counties with a population of not less than 57,000 nor more than 61,000; prohibiting operation of vehicles upon coastal sand dunes located 50 feet or further from the water line without written permission of the landowner; providing punishment for violation of this act.

Also:

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

Also:

H. 1706. Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

Also:

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Also:

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for

expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Also:

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Also:

H. 1671. To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

Also:

H. 1817. To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 314. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act; to appropriate funds to be used in the administrations of this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Taylor:

H. 1156. To amend further Act No. 999, H. 288, Regular Session 1969, (Acts 1969, p. 1855), as amended, which Act established a retirement system for peace officers, in order to redefine certain words and terms in said Act.

Also:

By Messrs. Ellis, Turnham and Bank:

H. 426. To declare the need for training emergency medical technicians; to authorize the state health department to contract with the state department of education to provide such training courses through existing vocational or technical schools and junior colleges; and appropriate funds therefor.

Also:

By Messrs. Waggoner and Falkenburg:

H. 1635. To provide a state scholarship program to promote the education of graduate nurses at the School of Nursing of the University of Alabama, Birmingham, and making appropriations therefor.

Also:

By Messrs. Bank, Falkenburg, Fite, McBride, Flipppo, Robertson, Culver, Parker, Weeks, Headley, Snell, Turner, Cottingham and Jones (F):

H. 1331. To amend further Code of Alabama 1940, Title 35, Section 12, which relates to military leave for government employees in order to extend payment for military furlough benefits to all employees and to provide for the mandatory reemployment of government employees who are called to active service either by the Alabama National Guard or the armed forces of the United States.

Also:

By Messrs. St. John, Drake and Stokes:

H. 1219. To amend Act No. 691, S. 284, Regular Session 1951, as amended, Code of Alabama, providing for the salary of the official court reporters of the state.

Also:

By Mr. Turnham:

H. 2105. To name the bridge on Alabama Highway 10 between Alabama and Georgia the Buddy Crawford Bridge.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1156 and 1219. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s. 426 and 1635. To the Committee on Health.

H. B. 1331. To the Committee on Military.

H. B. 2105. To the Committee on Public Buildings and Grounds.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Weeks:

H. 1815. To further amend Act No. 173, H. 311, Regular Session 1945, (Acts 1945, p. 304), so as to add a representative from AMVETS to the State Board of Veterans Affairs.

Also:

By Messrs. Hobbie, Collins, Bank, Jones (F) and Turnham:

H. 300. To further amend Section 1 of Act No. 515 of the 1945 Regular Session of the Alabama Legislature (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958), as amended, which relates to the definitions under the State employees' retirement to provide that "average final compensation" for such employees be computed on the basis of the best three years of the last ten years of creditable service.

Also:

By Mr. McCluskey:

H. 508. To amend Section 32 of Act 100, H. 94, Acts of Alabama 1959, Volume 1, page 298, so as to change the phrase "old age assistance exclusively" to "general welfare purposes," and to distribute from the sales tax a sufficient sum for the counties to pay the cost of administering the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments enacted thereto.

Also:

By Messrs. Gafford, Bowers, Weeks, Doss, Carnes, Erdreich, Boutwell, Timmons and Meeks:

H. 947. To amend Section 4 of Title 34, Code of Alabama 1940 to provide in certain instances only a man under the age of seventeen (17) and a woman under the age of fourteen (14) years may contract marriage.

Also:

By Mr. Lutz:

H. 226. To amend Title 52, Section 361, Code of Alabama 1940, as amended by adding new subsection nine (9) and renumbering existing subsections, to provide that a teacher may appeal to the State Tenure Commission in any instance when such teacher has been denied a formal hearing as required by Title 52, Sections 356 and 359, Code of Alabama 1940, as amended.

Also:

By Messrs. Coshatt and Reid (R):

H. 2138. Relating to the thirtieth judicial circuit; providing for additional circuit court judge in such circuit.

Also:

By Messrs. Smith (P) and Mims:

H. 1887. To amend Section 10, Act No. 227, H. 2, Regular Session 1971 (Act 1971, p. 523), which Act authorizes and provides for the promotion of production, distribution, marketing, use, improvement and sale of soybeans.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1815. To the Committee on Military.

H. B.'s 300 and 226. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 508 and 947. To the Committee on Health.

H. B. 2138. To the Committee on Finance and Taxation.

H. B. 1887. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stokes:

H. 256. To provide that a school teacher or public employee employed by a public school system, the State Board of Education, the State Department of Education, State Senior Colleges and Universities, State Junior Colleges, State Vocational Technical Schools, the Alabama Commission of Higher Education and the Alabama Education Study Commission or any other State educational institution or agency, shall continue to draw his full salary for a certain period when incapacitated as a direct result of an on the job injury; to provide that payment of such benefits shall not exhaust his accumulated sick leave and to authorize standards for carrying out the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 256. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham, Ellis, Wynot, O'Daniel, Agee, Bank, Drake, St. John, McDonald, Reed (T), Snell, Mims, Adams, Hale and Casey:

H. 1182. To direct the State Department of Education to establish public kindergarten pilot programs in each of the congressional districts from which State Board of Education members are elected of the state.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1182. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Manley:

H. 992. To provide for the participation by state institutions of higher learning with private institutions of higher learning in a consortium product contract as a source or purchasing: to provide an effective date for this Act.

Also:

By Messrs. Warren and Carter:

H. 210. To amend Section 3, Act No. 1945, Regular Session of 1971, approved September 20, 1971, establishing the qualifications of the person appointed as County Engineer or Chief Engineer of the Division of Public Roads of the County within the meaning of the Act.

Also:

By Messrs. Downing, Roberts and Stokes:

H. 857. To amend further Act No. 376, S. 280, Regular Session 1947 (Acts of Alabama 1947, page 267), an act authorizing and empowering certain governing bodies and agencies to contract for, obtain and maintain policies of group life, health, accident, and hospitalization insurance, and insured retirement plans for certain of its officers and employees in order to authorize and empower the board of directors of any county or municipal hospital to provide such insurance and retirement plans for its officers and agencies.

Also:

By Messrs. Downing, Carnes, Wynot, Callahan, Ellis, Collins, Roberts, Therrell, Stokes and Bowers:

H. 1227. A bill to authorize the governing body and election officials of those counties using voting machines which produce printouts that contain all required data regarding registering or recording and computing the vote at all elections to use such printout sheets and to make any required certificates or statements thereon; to provide that such shall satisfy the provisions of Alabama Code 1940, Title 17, Chapter 1, Article 7.

Also:

By Mr. Ellis:

H. 11. To provide that any county governing body and sheriff's department in such county shall be empowered and authorized to enter into an agreement or contract with the State Department of Public Safety to establish and maintain a helicopter ambulance service in certain participating counties; and to authorize the expenditure of public funds for the establishment and maintenance of said service.

Also:

By Messrs. Waggoner, Lyons and Meeks:

H. 1218. To make an appropriation of \$80,000 per year for the next two fiscal years, out of any funds in the State Treasury not otherwise appropriated, for use by the State Health Department for Family Planning Services.

Also:

By Messrs. Downing and Lyons:

H. 1613. To amend Act No. 2432, Regular Session, 1971 (Acts 1971 p. 3891) providing for the creation, incorporation, and operation of the Marine Environmental Sciences Consortium by designating it as a state agency and providing for a Board of Directors with full power and authority for its management; and to grant to state educational institutions and state, county, and municipal agencies authority to make contributions for its support.

Also:

By Messrs. Wallace, Doss, Erdreich, Boutwell, Falkenburg, Waggoner, Timmons, Jones (E), Boles, Reed (T), Wise, Reid (R), Naramore, Manley, Culver, Robertson, Bank, Chesnut, McCluskey, Stewart, Adwell, Crowe, Carter, Headley, Hill, Perloff, Casey, Cross, Merrill, Pruitt, Downing, Wood, Therrell, Mims, Lyons, Cauthen, Waldrop, Reynolds, Bowers, Adams, Agee, Callahan, Lang, Warren, Harris, Kinsey, Cottingham, Williams, Wynot, Hearn, Meeks, Smith (P), Easters, Barkett, Edwards, Goodwin, Grainger, St. John, Drake, Burgess, Stubbs, McCorquodale, Carnes, Connell, Roberts, Brassell, Adams, Turner, Snell and Parker:

H. 448. To amend the title and Sections 1 and 3 of Act No. 2307, S. 250, of the Regular Session of 1971 (Acts of 1971, p. 3728), which provides for covering certain employees of public school systems in the Teachers' Retirement System so as to include persons employed by such public school systems as custodians and janitors among the employees who may be covered by the Teachers' Retirement System.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 992. To the Committee on Education.

H.B. 210. To the Committee on County Government.

H.B. 857. To the Committee on Insurance.

H. B. 1227. To the Committee on Constitution and Elections.

H. B.'s 11 and 448. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1218. To the Committee on Finance and Taxation.

H. B. 1613. To the Committee on Seaports.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and sends same herewith to the Senate:

S. 75. To amend Act No. 803, H. 1258 of the Regular Session of 1961 (Acts of 1961, p. 1166), an Act which applies in counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized, amending such Act so as to provide further for the time and manner of commencing contest of elections and providing for the breaking of the seal on voting machines and the making of records of the count thereof when such machines are needed for subsequent elections.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe and Naramore:

H. 2095. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Also:

By Mr. Barkett:

H. 2099. To abolish the fine and forfeiture fund of Dale County: providing for the transfer of all money on hand in such fund to the general fund; providing for the payment of all claims which would be paid from the fine and forfeiture fund to be paid from the general fund; and providing for the payment of all monies which would be paid to the fine and forfeiture fund to be paid to the general fund.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To abolish the fine and forfeiture fund of Dale County; providing for the transfer of all money on hand in such fund to the general fund; providing for the payment of all claims which would be paid from the fine and forfeiture fund to be paid from the general fund; and providing for the payment of all monies which would be paid to the fine and forfeiture fund to be paid to the general fund.

Be It Enacted by the Legislature of Alabama:

Section 1. The fine and forfeiture fund of Dale County is hereby abolished.

Section 2. It shall be the duty of the custodian of the fine and forfeiture fund of Dale County to transfer all money on hand in such fund, on the effective date of this act, to the general fund. Thereafter, all claims which would be payable from the fine and forfeiture fund shall be paid from the general fund. Thereafter, all monies which would be payable into the fine and forfeiture fund shall be paid into the general fund.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DALE

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for four consecutive weeks, said notice having appeared in the issue of said paper on July 18, July 25, August 1, and August 8, 1973.

JOSEPH H. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 13th day of August, 1973.

IRENE MATHIS,
Notary Public.

Also:

By Messrs. Turnham, Adams and Brassell:

H. 2104. Authorizing the Lee County governing body to levy, assess and collect privilege, franchise, license, sales and use taxes to raise funds for schools and general county purposes.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Authorizing the Lee County governing body to levy, assess and collect privilege, franchise, license, sales and use taxes to raise funds for schools and general county purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lee County is hereby authorized to, by ordinance or resolution, levy and provide for the assessment and collection of privilege, franchise, license, sales and use taxes in Lee County, which tax shall be in addition to any and all other county taxes heretofore or hereafter authorized by law. The proceeds from any tax levied pursuant to this act, less the cost of collection shall be used for the public schools, and for general county purposes, including but not limited to the construction of buildings and facilities.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Auburn Bulletin, a newspaper of general circulation published in Auburn, Ala. Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 19, July 26, August 1 and August 8, all in the year 1973.

NEIL O. DAVIS.

Sworn to and subscribed before me August 9, 1973.

ALICE M. WHITE.
Notary Public.

Also:

By Mr. Crowe:

H. 2108. To amend Section 3 of Act No. 200, H. 120, 1969 Special Session (Acts 1969, p. 263), entitled, "An Act to provide for Walker County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the county,

defining violations of the Act; imposing penalties for violations; and repealing conflicting laws," so as to provide for the inclusion of certain other employees under the provision of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 200, H. 120, 1969 Special Session (Acts 1969, p. 263), entitled, "An Act To provide for Walker County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the county, defining violations of the Act; imposing penalties for violations; and repealing conflicting laws," so as to provide for the inclusion of certain other employees under the provision of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 200, H. 120, 1969 Special Session (Acts 1969, p. 263), is hereby amended to read as follows:

"Section 3. The provisions of this Act shall apply to all officers and employees in the service of the county or any board, agency or instrumentality thereof except: (a) elective officers; (b) members of appointive boards, commissions, and committees; (c) all employees of the County Board of Education; (d) attorneys, physicians, surgeons, and dentists employed in their professional capacities; (e) the judge of any court; (f) independent contractors receiving their remuneration from public funds under contracts awarded by competitive bidding; (g) any person whose employment is subject to the approval of the United States Government or any agency thereof; (h) employees of any other board or commission created by the county governing body; provided, however that the provisions of this Act shall apply to all non-teacher personnel who work in, or under the jurisdiction of, the Maintenance and Transportation Division of the County Board of Education, except bus drivers and janitors, and clerks and office employees of Walker County Board of Education."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9 and July 16, all in the year 1973.

Sworn to and subscribed before me July 16, 1973.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 16, 1973.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Mr. Casey:

H. 2119. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; allowing the county commission to employ up to four additional deputy sheriffs.

Also:

By Messrs. Connell and Crawford:

H. 2122. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, in Houston County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

Notice is hereby given that the following local bill will be introduced at the current regular session of the Legislature of the State of Alabama.

A BILL TO BE ENTITLED AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, in Houston County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Dothan, in Houston County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said city all of the following described territory:

DESCRIPTION: SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 25, 25, 26, 27, 28, 29, 32 less the incorporated limits of Taylor Alabama, 33, 34, 35, and 36, Township 3, Range 26 East; all in Houston County, Alabama.

SECTIONS: 1, 2, 3, 4, 5, less the incorporated limits of Taylor Alabama, 8 less the incorporated limits of Taylor, Alabama, 9, 10, 11, and 12 Township 2 North, Range 26 East; all in Houston County Alabama.

SECTIONS: 3, 4, 5, 6, 7, 8, 9 and 10. Township 2 North Range 27 East; all in Houston County, Alabama.

SECTIONS: 3, 4, 5, 6, 7, 8 9 10 15 in Houston County, Alabama. 16, 17, 18, 19, 20, 21, 22, 27, 28, 29 30 31 32 33 and 34 Township 3 North Range 27 East; all in Houston County, Alabama.

SECTIONS: 19, 30, 31, 32, 33, and 34, Township 4 North, Range 27 East; all in Houston County, Alabama.

SECTIONS: 23, 24, 25, 26, 31, 32, 33, 34, 35 and 36 Township 4 North Range 26 East; all in Houston County, Alabama.

SECTIONS: 12 ltss that part of Dale County, and 13, Township 3 North, Range 25 East; all in Houston County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. That this Act shall go into effect upon its passage and approval by the Governor.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: 7-23, 30; 8-6, 13, 1973 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges, of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 13th day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 2123. To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967; Act No. 59, Regular Session 1971, approved July 12, 1971.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following local bill will be introduced at the current regular session of the Legislature of the State of Alabama.

A BILL TO BE ENTITLED AN ACT

To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session,

approved August 20, 1963, Act No. 601, Regular Session, approved September 8, 1967; Act No. 59, Regular Session 1971, approved July 12, 1971.

Be It Enacted by the Legislature of Alabama:

Act No. 103, H. 363, approved June 18, 1953 (Acts of Alabama 1953, pages 145-154) as subsequently amended, which provides for the establishment of a City of Dothan Pension and Retirement System, is hereby amended to read as follows:

SECTION 1. There is hereby established for the City of Dothan, hereinafter called the "City," a Pension and Retirement System, hereinafter called the "System," which shall exist and be maintained for the benefit of the persons hereinafter named, the funds for which shall be derived and raised in the manner hereinafter provided.

SECTION 2. MEMBERSHIP. The membership of the System shall be composed as follows:

(1) All persons who are employees and retired employees of the City of Dothan on the date of the enactment of this Act.

(2) All persons who become employees after the date of the enactment of this law, their becoming members to be a condition of their employment. Elected Officials, City Attorneys, the City Recorder, independent contractors, and temporary employees employed for less than ninety (90) days shall not be eligible for membership.

(3) Employees drafted or entering directly into the Armed Forces of the United States during a national emergency, provided such employee does not withdraw his contributions as provided in Section 4 (1), and provided such employee returns to the service of the City within one (1) year after having been honorably discharged from the Armed Forces, and such employee avails himself of the first opportunity for discharge or release from the service following the cessation of hostilities, which return to the service of the City during this period of one (1) year after such honorable discharge or release shall entitle such employee to credit for continuous service toward the attainment of conditions required for retirement or benefits.

SECTION 3. PENSION BOARD.

(1) There is hereby created a Pension Board who shall act as Trustees, and in whom is vested the general administration and management of the System, and the making effective the provisions of this Act. The members of the Pension Board, all of whom shall serve without compensation, shall consist of the Mayor and-or President of the Board of Commissioners of the City, Chairman of the City Board of Education, the City Attorney, the Treasurer of the City of Dothan, who shall be the "Treasurer of the System" and be bonded as required by the Pension Board, and an Employee-Department Head to be chosen by other Employee-Department Heads.

(2) The Mayor shall act at all times as Chairman of the Pension Board, and in his absence, the majority of the Board shall elect a Chairman to act in his stead. A majority of the Board shall constitute a quorum for the transaction of business, and any action taken shall be approved in writing by not less than three (3) of its members. The Pension Board shall hold such meetings as are necessary to transact its business, and in any event not less than one (1) meeting each three (3) months. The City Clerk shall act as Secretary of the Pension Board and shall give sufficient notice to its members of all meetings called by its chairman and shall keep a written minute record of all meetings, and shall attest all official written documents of the board, which shall be

written into the official document records of the City Clerk's Office. All necessary accounting records shall be kept under the supervision of and in the office of the Clerk-Treasurer of the City, and the necessary clerical expense and supplies for keeping required records shall be deemed as an authorized expenditure from the general funds of the City. Payments from funds shall be made by check drawn by the Clerk-Treasurer and countersigned by the Chairman, after having been authorized and directed by the Board as shown in the minutes.

(3) OATH OF OFFICE OF THE PENSION BOARD MEMBERS.

All members of the Pension Board, as trustees for the System, within ten (10) days after his appointment or election, shall take an Oath of Office that he will diligently and honestly administer the affairs of the Pension Board and that he will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the System. Such oath shall be subscribed to by the members making same, certified by the official before whom it is taken, and immediately filed in the Office of Probate Judge of Houston County.

SECTION 4. THE METHOD OF FINANCING AND COMPOSITION OF FUNDS. All of the assets of the System shall be accounted for according to the purpose for which they are held among three (3) funds, namely, the Annuity Fund, the Pension Accumulation Fund and the Retirement Fund.

(1) The Annuity Fund shall be a fund in which shall be accumulated contributions from the compensation of members. Contributions to and payments from the Annuity Fund shall be made as follows:

(a) Six per cent (6) to be deducted from each member's pay on each and every payroll. Each member, as a condition of his or her employment, shall be deemed to consent and agree to the deduction provided for herein and the payment of such salary or compensation less such deductions shall be a complete and full discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment, except as to the benefit provided under this Act. The deductions herein provided for shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Each amount so deducted shall be paid into the Annuity Fund, and shall be credited to the individual account of the member from whose compensation and deduction was made.

(b) Membership in the System is canceled upon termination of employment, and upon such termination the amount of the deduction made from such employee's compensation shall be refunded out of the Annuity Fund on the following basis and conditions:

Members employed five years and less, all annuity payroll deductions, less ten per cent (10) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership.

Members employed over five (5) years and less than ten (10) years, all annuity payroll deductions, less five per cent (5) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership. Members employed ten (10) years and over, all annuity payroll deductions, less utow and one-half per cent (2½) of such deductions, which shall be deemed as payment to the System to cover the cost of protection afforded therein during the term of membership.

Upon termination by death, all annuity payroll deductions shall be

returned to the properly designated beneficiary of the member without any charge or deduction being made for protection as mentioned above.

(c) Upon the termination of employment and membership in the System, the amount deducted from the refund to such employee as provided in Sub-Section (b) above, shall be transferred into the Retirement Fund hereinafter provided for.

(d) Upon the retirement of any employee-member of the System, the amount of the annuity funds accumulated or deposited to the credit of such retired employee, shall be transferred and credited to the individual account of the retired member in the Retirement Fund. All payments to such retired employee shall be charged to his individual account, so as to indicate from time to time the total amounts paid to such employee as benefits under the system.

(2) **PENSION ACCUMULATION FUND.** The Pension Accumulation Fund shall be a fund into which the City of Dothan shall deposit each month a sum equal to the payroll annuity deductions from employee-members' salaries.

(a) Upon the termination of employment and membership in the System, the amounts deposited into the Pension Accumulation Fund to the credit of such employee terminating employment and membership shall be transferred from the Pension Accumulation Fund into the Retirement Fund to be used for the payment of retirement benefits hereinafter provided for.

(b) Upon the retirement of any member as hereinafter provided for, the amounts deposited into the Pension Accumulation Fund to the credit of such retiring employee shall be transferred from the Pension Accumulation Fund into the Retirement Fund and credited to the individual account of the retired employee-member as provided in Section 4(1)(d) above, who shall receive benefits from the Retirement Funds as hereinafter provided. All payments to such retired employee shall be charged to his individual account, so as to indicate from time to time the total amounts paid to such employee as benefits under the System.

(3) **THE RETIREMENT FUND.** The Retirement Fund shall be a fund into which shall be deposited all funds transferred from the Annuity Fund and from the Pension Accumulation Fund as provided for in Sub-Sections (1) and (2) above of Section 4, from which retirement benefits are paid.

(a) In addition to transfers from the Annuity and Pension Accumulation Funds, the Pension Board may take by gift, grant, device or bequest, any money (personal property, real estate, or interest therein for the benefit of the fund.

(b) All amounts in excess of the amount protected by the Federal Depositors Insurance Corporation or similar plan by the Federal Government deposited in any bank or savings and loan association in any of the three (3) funds provided for herein shall be forthwith invested in bonds or securities which are direct obligations of the United States of America. All amounts deposited in any such bank or savings and loan association in excess of amounts required to pay monthly benefits shall be placed on deposit so as to draw interest. Interest and earnings from investments and deposits shall be deposited into the Retirement Fund.

(c) Every three (3) years the System shall be reviewed by a reputable actuary selected by the Pension Board. The Pension Board upon receipt of the report of such actuary shall make recommendations to the legislative delegation and City officials for any needed revisions.

SECTION 5. CREDITABLE SERVICE. For the purpose of attainment of the period of service required for retirement under the provisions of this Act the following conditions shall prevail and none other:

(1) All persons who are employees and retired employees of the City of Dothan on the date of the enactment of this Act and who were members of the Alabama Employees Retirement System, shall receive credit for all prior service evidenced by Alabama Employees Retirement System prior years certificates, and so long as membership continues, such prior service certificate shall be final and conclusive for retirement purposes as to such service credited prior to this Act, except that any such certificate found to be inaccurate as to actual prior service according to records in the City Clerk's Office may be amended by resolution of the governing body of the City with the concurrence of the Pension Board upon certification of the City Clerk as to the actual service prior to the City of Dothan's withdrawal from the Alabama Employees Retirement System any employee should have credit for.

(2) Employee-members drafted or entering directly into the Armed Forces of the United States and complying with Section 2, Sub-Section (3), will receive credit for continuous service.

(3) Creditable service at retirement, on which retirement allowances of a member shall be based, shall consist of the membership service rendered by him, since he last became a member, and also if he has a prior service certificate which is in full force and effect, the amount of the service certified on his prior service certificate.

(4) Anything in this Act to the contrary notwithstanding, any member having twenty (20) or more years of creditable service shall be eligible to continue in the membership of the System whether employed by the City or not until he files application for service retirement, at which time he shall be eligible for all benefits for full retirement as though all other conditions and requirements had been attained and fulfilled. Continuation of employment beyond twenty (20) years shall entitle such an employee's benefit to be computed on the basis of his total years service and his highest average annual salary for any previous consecutive five (5) years, and in accordance with the percentages as set out in Section 6, Paragraph 2.

SECTION 6. SERVICE RETIREMENT BENEFITS.

Section 6. Service Retirement Benefits (1) Any member in service may retire upon written application to the Pension Board setting forth at what time, not less than thirty (30) days nor more than ninety (90) days subsequent to the execution and filing thereof, he desires to be retired, provided said member at the time so specified for his retirement, shall have become disabled, attained the age, and-or served the period required under the provisions of this Act which said employee desires to be retired.

(2) **FULL RETIREMENT.** Any employee-member who shall have served or accumulated twenty (20) years of creditable service, shall be eligible for full retirement. Such employee may be retired upon proper application and for the rest of his life receive as a retirement allowance a sum payable from the Retirement Fund amounting to the sum of (a), (b), (c), and (d), as set out below:

(a) 2½ per cent times the first twenty (20) years of creditable service times his highest average annual salary for any previous consecutive five (5) years, plus

(b) 2 per cent for each year of creditable service from 20 to 25

years times his highest average annual salary for any previous consecutive five (5) years, plus

(c) $1\frac{1}{2}\%$ for each year of creditable service from 25 to 30 years times his highest average annual salary for any previous consecutive five (5) years, plus

(d) 1 per cent times all creditable service in excess of thirty (30) years multiplied by his highest average annual salary for any previous consecutive five (5) years.

The above benefit is payable in monthly installments.

(3) Any employee-member who has attained the age of sixty (60) on his last birthday, and has served or accumulated a total of fifteen (15) years creditable service, may retire voluntarily for reasons of his own. Upon retirement under the provisions of this Section, such employee shall receive as a retirement allowance the rest of his life a sum payable from the retirement fund equal to $2\frac{1}{2}$ per cent times the number of years of creditable service multiplied by his highest average annual salary for any previous consecutive five (5) years, payable in monthly installments.

Any employee-member who has reached the age of sixty-eight (68) and has accumulated at least ten (10) years creditable service shall be retired forthwith, and upon proper application shall receive for the rest of his life as a retirement allowance a sum payable from the Retirement Fund amounting to $2\frac{1}{2}$ per cent times the number of years of creditable service accumulated, multiplied by his highest average annual salary for any previous consecutive five (5) years multiplied by his highest average annual salary for any previous consecutive five (5) years, payable in monthly installments.

(4) Disability Retirement. Any employee-member who has served or accumulated as much as ten (10) years creditable service, may be retired on a disability retirement allowance, provided that a Medical Board, to be composed of the County Health Officer and two (2) other practicing medical doctors designated by the President of the Houston County Medical Association, after an examination of such employee, shall certify that such member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent and that such member should be retired. Upon retirement for disability, such employee-member shall receive as a retirement allowance for the rest of his life, unless such amount shall be modified or changed by proper action as hereinafter provided for, a sum payable from the Retirement Fund amounting to fifty per cent (50) of his highest average annual salary or any multiplied by the number of years creditable service limited to a maximum of twenty (20), and divided by twenty (20), payable in monthly installments.

(5) Any member who, as a result of his employment, in line of duty or while discharging his duties, or in the performance of his duties, or as a result of hazardous assignment, and not the result of his own misconduct, shall become permanently and totally disabled to the extent that he cannot perform properly his former duties of employment or duties of a less strenuous nature, as an employee of the City of Dothan, shall be retired, which action shall be initiated by the head of his department, and shall receive the same retirement allowance as if he had served as an employee for twenty (20) years and become totally disabled as provided in Section 6 (4) hereof. Provided, however, that such retired member shall submit to medical examinations hereinafter required. In the event an employee retired under this section shall be found mentally and physically capable of performing duties of a less

strenuous nature, then such employee may, upon the concurrence of the Pension Board and the Governing Body, be employed in such capacity at the prevailing salary or such work as is provided by the City of Dothan Civil Service System. Upon the return to employment from retirement under his section, the period of retirement together with all prior services shall be credited to such employee, in the ultimate attainment of full retirement or such portion thereof as may be earned under the provisions of this Act. Any such employee who returns to work or continues his employment in work of a less strenuous nature at a reduced rate of pay may be ultimately retired on the basis of the highest five (5) years average salary, provided he shall, while employed at such reduced rate of pay, continue to pay to the System by payroll deductions six per cent (6) of his highest consecutive five (5) years average salary. The City's contribution to the Retirement Fund shall be at the same rate of six per cent (6).

(6) RE-EXAMINATION OF MEMBERS RETIRED ON THE ACCOUNT OF DISABILITY.

(a) Once each year during the first five (5) years following the retirement of a member on a disability allowance and once in every three (3) year period thereafter, the Pension Board may, and upon his application shall, require any member so retired who has not yet attained the age of sixty (60), to undergo a medical examination, such examination to be made at the place of residence of such members, or other place mutually agreed upon by a physician or physicians of, or designated by the Medical Board. Should any member drawing disability retirement allowance who has not attained the age of sixty (60) refuse to submit to such medical examination, his allowance will be discontinued until such member submits to an examination, and should his refusal continue for one (1) year, all his right in and to his pension may be revoked by the Pension Board. Should the Medical Board report and certify to the Pension Board that a member retired on disability is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation and should the Pension Board concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him, shall equal the amount of his highest average final compensation for the consecutive five (5) years of his or her employment with the City. Should his earning capacity be later changed, the amount of his pension may be further modified; provided, that the new pension shall not exceed the amount of the pension originally granted, nor an amount which, when added to the amount earnable by the beneficiary together with his annuity, exceeds the amount of his highest average final compensation for any previous consecutive five (5) years of his or her employment with the City.

(b) In no event will an employee who was a member of the System as of the date of this Amendment receive, upon retirement, an amount less than he would have received had the plan not been amended.

SECTION 7. DEATH OF RETIRED EMPLOYEE. In the event any retired employee dies before having received as retirement allowances, a sum equal to his annuity payroll deductions, and the like amount deposited to his credit by the City in the Pension Accumulation Fund, the balance of this sum shall be paid to his properly designated beneficiary in lump sum payment.

SECTION 8. EXEMPTIONS. No portion of, or any of the funds or securities, either while held by the System or after distribution to employee-members as retirement allowances, shall be subject to, or

exacted, on account of any taxes, nor be subject to garnishment, levy execution, attachment nor be subject to assignment or any process of collection of debts provided this shall not apply to assignments or debts to the System or to the City. No liability of the System for the return of contributions shall be subject to assignment and payment to personal representatives, except to properly designated beneficiaries in case of death, and no liability of the System for return of contributions shall be subject to any process in connection with debts.

SECTION 9. PERPETUITY OF SYSTEM AND RELIEF OF MEMBERS ALREADY RETIRED.

(1) At any time there is an insufficient amount in the Retirement Fund from the sources herein provided for to meet the retirement obligations of the system, the City shall appropriate a sufficient amount of its revenue available for general purposes to meet such Retirement Fund obligations as they are due each month.

(2) For the purpose of additional relief and benefit to City employee-members already retired, effective upon the end of the first full calendar month following the passage and approval of this Act, the monthly benefits of all such retired employees shall be computed upon the basis of said Act No. 59, Regular Session, 1971. Approved July 12, 1971, and as amended by this Act.

(3) The additional relief and benefit provided in the preceding paragraph for such employees already retired and who retire hereafter as a cost of living increase shall be increased each year in the future by one and one-half per cent (1½) of the amount of the pension being received; such increase to become effective on the anniversary date of each employee's retirement following the effective date of this amendment.

SECTION 10. RETIRED EMPLOYEES WHO RETURN TO WORK. Retired employees who return to full time work as a City employee will be ineligible to receive benefits from the retirement fund while engaged in such full time work. Each such employee shall however be required to participate in the retirement system as required of a new employee specified in Section 2 hereof, and shall retain the full period of creditable service previously earned for retirement. Upon his application for retirement again, the period of time he retirement again, the period of time he has last worked, if less than five years, shall be added to such highest consecutive average annual salary for a period of equal five years. If the amounts received, however, after returning to work after retirement, are less than before his first retirement, such employee, upon retiring again shall be allowed to receive monthly retirement benefits based upon his highest average annual salary for any consecutive five years.

SECTION 11. EXCESS RETIREMENT FUNDS AND PAYMENTS.

(1) All annuity payroll deductions and pension accumulation funds transferred to the Retirement Fund upon the retirement of any member shall be credited to such member's account and held in trust for no other purpose except for the payment of such member's retirement benefits or to such member's properly designated beneficiary upon termination by death. Payments to such member shall be charged against his account, so as to reflect the unpaid balance.

(2) After the amounts accumulated for such retired member's credit in (1) above have been paid back to such member as benefits, continued benefits shall be paid out of funds accruing to the Retirement Fund under the provisions of Section 4 and payment of such continued

benefits shall be continually charged to such retired member's account so as to reflect the amount paid in excess of credits provided for in (1) above.

SECTION 12. VOLUNTARY PARTICIPATION. All active employees of the City at the time this Act is approved who wish to continue as members of the Retirement System as herein provided shall signify their voluntary participation in writing to the Pension Board. The written document signifying such voluntary participation shall be certified to by the various department heads as being the signatures of the employees under his supervision and that he witnessed their signing such document, which shall be recorded in the records of the City Clerk's Office.

SECTION 13. CONFLICTING LAWS. All laws in conflict with this Act are hereby repealed to the extent of such conflict with this Act.

SECTION 14. EFFECTIVE DATE. This Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: 7-24, 30; 8-6, 13, 1973 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 13th day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Messrs. Hill and Flippo:

H. 2124. Relating to the eleventh judicial circuit; providing an expense allowance for the District Attorney of such circuit; providing for a county salary supplement for such District Attorney at the beginning of his next term of office.

Also:

By Messrs. Wynot and Carnes:

H. 2168. Relating to Etowah County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this Act the term "licensed cosmetologist" shall mean a cosmetologist who has been duly licensed as such by the state board of cosmetology pursuant to Act No. 78, S. 72, Special Session 1961 (Acts 1961, p' 1955), as amended, and the term "registered beauty shop" shall mean a beauty shop which has been registered with or by such board pursuant to said Act. The following words and phrases when used in this Act shall have the meaning ascribed to them in the above-cited Act No. 78 of the Special Session of 1961, as amended; "apprentice," "beauty shop," "managing cosmetologist," and "school of cosmetology."

Section 2. Any person who will conduct his business entirely within Etowah County shall be licensed by the state board of cosmetology as a managing cosmetologist provided such person has had one years experience prior to application for such license and provided such applicant complies with other requirements for such license.

Section 3. Any provision of law to the contrary notwithstanding any person who is eligible to be registered as an apprentice pursuant to Act No. 78, S. 72 of the Special Session of 1961, and who is serving as an apprentice in a duly registered beauty shop in Etowah County may also be enrolled in a school of cosmetology at the same time that such person is serving such apprenticeship.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. The provisions of this Act are supplemental and insofar as possible it shall be construed in pari materia with other laws regulating the practice of Cosmetology; however the provisions of this Act shall supersede as to Etowah County the provisions of any other law, general, local or special, which are in conflict herewith and it is specifically provided that insofar as Act No. 78, S. 72 of the Special Session of 1961 (Acts 1961, p' 1955) conflicts with this Act it is superseded as to Etowah County.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Glenda Griffin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv-Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1973.

GLENDA GRIFFIN.

Sworn to and subscribed before me August 6, 1973.

LEO DRISKELL,
Notary Public, Alabama State at Large.

My Commission Expires May 16, 1976.

Also:

By Mr. Kinsey:

H. 2169. Relating to Baldwin County; providing for the election of the county superintendent of education and prescribing his qualifications, duties, compensation and term of office; providing for the filling of vacancies in such office; and making the provisions of this act subject to the approval of a majority of the electors of the county voting in a referendum to be held thereon.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Baldwin County; providing for the election of the county superintendent of education and prescribing his qualifications, duties, compensation and term of office; providing for the filling of vacancies in such office; and making the provisions of this act subject to the approval of a majority of the electors of the county voting in a referendum to be held thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The superintendent of education of Baldwin County shall be elected by the qualified electors of said county at the general election to be held in 1974 and every four years thereafter. He shall hold office for a term of four years beginning on July 1, next following his election and until his successor shall have been elected and qualified.

Section 2. The superintendent of education of Baldwin County shall possess all of the qualifications prescribed for county superintendents of education under the general laws of this state, and he shall perform and discharge all of the duties of county superintendents of education under the general laws of this state.

Section 3. The county superintendent of education shall devote his entire time to the duties of his office. His compensation, including annual salary and traveling expenses incurred within and without the county, shall be prescribed by the county board of education; provided, such compensation for each four year term shall be fixed prior to the election of the superintendent of education for each such term.

Section 4. A vacancy in the office of the county superintendent of education, occurring from any cause shall be filled by the county board of education as is provided by the general laws of the state.

Section 5. The substantive provisions of this act shall become operative only if approved by a majority of the qualified electors of Baldwin County voting in a referendum to be held for that purpose. Such referendum shall be held on the same day as the first countywide primary, general or special election held in the county after final adjournment of the 1973 Regular Session of the Alabama Legislature. The Baldwin County Commission or other like governing body of said county shall order and provide for holding the referendum on such date. On the ballots to be used in the referendum, the question shall be stated substantially as follows: "Shall the provisions of Act No. _____, H. _____ of the 1973 Regular Session of the Legislature, which provides for the election of the superintendent of education of Baldwin County be adopted? Yes (☐); No (☐)." If a majority of the votes cast at the referendum are "Yes," all of the provisions of this act shall become effective immediately. If a majority of the votes cast are "No," this act shall have no further effect; except that the judge of probate of Baldwin County shall certify the results of the referendum to the Secretary of State within 30 days after the determination thereof.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Cameron, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Onlooker, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1973.

JOHN B. CAMERON.

Sworn to and subscribed before me 8/13, 1973.

LILLIAN M. FELL,
Notary Public.

Also:

By Mr. Owens:

H. 2170. Relating to counties having a population of not less than 15,650 nor more than 16,200 according to the most recent federal decennial census; requiring any judge who wishes to be paid by such counties under the provisions of Act No. 606 S. 112, Regular Session 1969 (Acts 1969, p. 1110), which relates to Supernumerary Probate Judges, to maintain his permanent residence in such county.

Also:

By Mr. Connell:

H. 2171. Relating to counties having populations of not less than 56,000 nor more than 59,000 according to the most recent federal decennial census; to authorize the county commission to construct off-street parking facilities on real property owned by the county, to operate, manage and maintain such facilities, and to make or provide a schedule of fees or charges and promulgate rules and regulations, for the use of such parking facilities; to provide for penalties for violations.

Also:

By Messrs. Culver and Parker:

H. 2173. Relating to all counties having populations of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2095, 2099, 2104, 2108, 2119, 2122, 2123, 2124, 2168, 2169, 2170, 2171, and 2173. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Timmons and Adwell:

H. 945. To provide for the exemption of those cities or towns within counties of 500,000 or more population from the provisions of Title 37 Section 733, Alabama Code 1940, with regard to cities or towns collecting business, trade, or professional licenses.

Also:

By Mr. Adwell:

H. 158. To regulate further the powers and authority of municipalities in counties having populations of 500,000 or more relative to the levy, imposition, assessment or collection of licenses, excises, taxes or

other fees on the possession, sale, distribution and use of malt or brewed beverages or of tobacco products within their police jurisdiction, but outside their corporate limits.

Also:

By Mr. Adwell:

H. 159. To amend further Code of Alabama 1940, Title 37, Section 733, as amended, which grants cities and towns within the state the authority to fix and collect licenses for any business, trade or profession done within the police jurisdiction but outside their corporate limits, so as to withdraw such power from cities and towns within counties having populations of more than 500,000 and vest in such cities and towns in lieu thereof the power to fix and collect, by contract, reasonable fees for each particular governmental service rendered to a business, trade or profession located within such area.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 945, 158 and 159. To the Committee on Local Legislation
No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Williams, Porter and Chesnut:

H. 2213. To re-divide the state into judicial circuits so as to create a Thirty-eighth Judicial Circuit consisting of Jackson County and to create a new judgeship and a new district attorney's position.

Also:

By Mr. McCorquodale:

H. 2217. Relating to all counties having a population of not less than 26,000 nor more than 26,800 according to the most recent federal decennial census, providing that the Judge of Probate of said counties may elect to become exempt from the provisions of Act No. 606, S. 112, Regular Session 1969.

Also:

By Mr. McCorquodale:

H. 2218. Relating to all counties having a population of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, providing that the Judge of Probate of said counties may elect to become exempt from the provisions of Act No. 606, S. 112, Regular Session 1969.

Also:

By Mr. Stubbs:

H. 2219. To propose an amendment to the Constitution of Ala-

bama that would authorize the governing body of Shelby County, Alabama to form districts within Shelby County for the establishment and maintenance of a system for fighting and preventing fires; for the collection and disposal of trash; for supplying water services; for the collection and treatment and disposal of sewage; for the operation of emergency medical services including ambulance services; and for other similar local type services; and to provide for the administration of such services within such districts including the levy and collection of charges for such services.

Also:

By Mr. Stubbs:

H. 2220. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; authorizing the sheriff of any such county to temporarily release certain prisoners held in the county jail for work at his discretion, and to provide for the allocation of all payment received by such prisoners for said work to the juvenile court of any such county.

Also:

By Mr. O'Daniel:

H. 2222. Relating to all counties having populations of not less than 30,000 nor more than 33,575; providing for the compensation of bailiffs; and providing that the provisions of this act shall be given retroactive effect to January 1, 1973.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2213, 2217, 2218, 2219, 2220 and 2222. To the Committee on Local Legislation No. 1.

(The above Bill, H. B. 2219, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hobbie:

H. 2203. To provide for the salary of the chief of police for cities having populations of not less than 70,000 nor more than 135,000 inhabitants according to the most recent federal decennial census.

Also:

By Messrs. Hobbie and Barron:

H. 2166. Relating to circuit court jurisdiction in Montgomery County, so as to raise the age of a dependent child, a neglected child, and a juvenile child from sixteen to eighteen years, and to place such persons eighteen years or younger within the jurisdiction of the circuit court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to circuit court jurisdiction in Montgomery County, so as to raise the age of a dependent child, a neglected child, and a juvenile child from sixteen to eighteen years, and to place such persons eighteen years or younger within the jurisdiction of the circuit court.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions.—(1) For the purposes of this act the words “dependent child” shall mean any child, who, while under eighteen years of age, for any reason, is destitute, homeless or is dependent on the public for support; or who is without a parent or guardian able to provide for his support, training and education; or whose custody is the subject of controversy. (2) The words “neglected child” shall mean any child, who, while under eighteen years of age is abandoned by both parents, or if one parent is dead, by the survivor, or by his guardian, or custodian; or who has no proper parental care or guardianship or whose home, by reason of neglect, cruelty, or depravity, on the part of his parent or parents, guardian or other person in whose care he may be, is an unfit or improper place for such child; or who is found begging, receiving or gathering alms, or who is found in any street, road or public place for the purpose of so doing, whether actually begging or doing so under the pretext of selling or offering for sale any article or articles, or of singing or playing on any musical instrument, or of giving any public entertainment or accompanying or being used in aid of any person so doing, or for whom his parent, parents, guardian or custodian, neglect or refuse, when able to do so, or when such service is offered without charge, to provide, or allow, medical, surgical, or other care necessary for his health, or well-being; or whose parent, parents, guardian or custodian permits such child to engage in an occupation or calling contrary to the provisions of the child labor law of this state; or whose parent, parents, guardian or custodian fail, refuse or neglect to send such child to school in accordance with the terms of the compulsory attendance law of this state; or who is in such condition or surroundings, or is under such improper or insufficient guardianship or control as to endanger the morals, health or general welfare of such child; or who is not being reared or cared for in accordance with the provisions of any law, regulation or ordinance for the education, care and protection of children; or who for other cause is in need of the care and protection of the state. (3) The words “delinquent child” shall mean any child who while under eighteen years of age violates any penal law of the United States or of this state, or any regulation, ordinance or law of any city, town or municipality, or who commits any offense or act for which an adult could be prosecuted in a method partaking of the nature of criminal action or proceeding; or who is beyond the control of his parent, parents, guardian, or custodian, or who is otherwise incorrigible, or who is guilty of immoral conduct; or who is leading an idle, dissolute, lewd or immoral life; or who engages in any calling, occupation or

exhibition punishable by law or is found in any place for permitting which an adult may be punished by law. (4) The word "court" and the words "circuit court" when used in this act shall, unless otherwise qualified, mean the circuit court of the county, sitting as the Domestic Relations Division for the hearing of cases or the disposition of any matter arising under the provisions of this act.

Section 2. All such children, hereinabove described as dependent, neglected, or delinquent, shall be subject to the care and protection of the Domestic Relations Division of the circuit court of Montgomery County. Said division is hereby authorized to formulate and implement such rules and regulations as are needed to carry out the aforementioned duties, along with those created under Act No. 250, S. 312, Regular Session 1959 (Acts 1959, p. 810), as amended.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Betty K. Shine, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Alabama Journal, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1973.

BETTY K. SHINE.

Sworn to and subscribed before me August 8, 1973.

MARGARET B. MORGAN,
Notary Public Montgomery County, Alabama.

Also:

By Mr. Hobbie:

H. 2164. Relating to Montgomery County; authorizing the establishment of branch banks.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Montgomery County authorizing the establishment of branch banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank maintaining and operating an office in Montgomery County for the transaction of a banking business may establish, operate and maintain additional offices or branches at any place within the limits of such county with the consent and approval of the Superintendent of Banks.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Betty K. Shine, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Alabama Journal, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 14, July 21, July 28, and August 4, all in the year 1973.

BETTY K. SHINE.

Sworn to and subscribed before me this 8th day of August, 1973.

MARGARET B. MORGAN,
Notary Public Montgomery County.

Also:

By Mr. Taylor:

H. 2156. To amend Section 1 of Act No. 2280, S. 428, Regular Session 1971 (Acts 1971, p. 3671), which provides for the composition of the personnel board of counties with a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal census, so as to further provide for the composition of such board.

Also:

By Messrs. Taylor, Jones (F) and Hobbie:

H. 2149. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the fifteenth judicial circuit.

Also:

By Mr. Jones (F):

H. 76. To establish a county ethics commission for all counties having a population of not less than 150,000 nor more than 180,000; to provide a county ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony.

Also:

By Messrs. Lutz, Hale, Grainger, King and Hearn:

H. 2195. Pertaining to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; establishing, subject to a referendum, a Charter Commission for the purpose of proposing a Charter for the consolidation of such counties and the municipalities situated therein; fixing the powers and duties of said Commission, providing for its membership and the payment of expenses.

Also:

By Messrs. Hearn, Lutz, Grainger, King and Hale:

H. 2194. To provide an expense allowance for each member of the Madison County Commission, except for the Chairman thereof; to provide that the salary of said officers named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officers.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for each member of the Madison County Commission, except for the Chairman thereof; to provide that the salary of said officers named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officers.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Madison County Commission, except for the Chairman thereof, shall receive an allowance for expenses in the amount of \$3,500.00 per annum, which expense allowance shall be payable in equal monthly installments by proper warrant drawn on the General Fund of the county. This expense allowance shall be in

addition to any expense allowance or other entitlement presently received by said officers and supplemental to any such allowance or entitlement.

Section 2. Said allowance shall be received by said officers heretofore named during the current term of office of said officers. At the expiration of the present term of said officers named herein and with the commencement of the next term of said officers named herein the compensation paid said officers as salary shall be increased by the amount of the expense allowance herein granted and the expense allowance herein provided shall terminate. Any expense allowance or other entitlement allowed by law to be paid to said officers herein named prior to the passage of this Act shall continue to be paid to said officers.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 13, 20, 27, and August 3, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 3rd day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. King, Hearn, Grainger, Lutz and Hale:

H. 2193. To provide an expense allowance for the Probate Judge of Madison County, Alabama; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance for the Probate Judge of Madison County, Alabama; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Be It Enacted by the Legislature of Alabama:

Section 1. The Probate Judge of Madison County, Alabama, shall receive an allowance for expenses in the amount of \$3,500.00 per annum, which expense allowance shall be payable in equal monthly installments by proper warrant drawn on the General Fund of the county. This expense allowance shall be in addition to any expense allowance or other entitlement presently received by said officer and supplemental to any such allowance or entitlement.

Section 2. Said allowance shall be received by said officer heretofore named during the current term of office of said officer. At the expiration of the present term of said officer named herein and with the commencement of the next term of said officer named herein the compensation paid said officer as salary shall be increased by the amount of the expense allowance herein granted and the expense allowance herein provided shall terminate. Any expense allowance or other entitlement allowed by law to be paid to said officer herein named prior to the passage of this Act shall continue to be paid to said officer.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to be, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 13, 20, 27, and August 3, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 3rd day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Hearn, Lutz, Grainger, King and Hale:

H. 2192. To change the compensation of the tax assessor of Madison County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the compensation of the tax assessor of Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Madison County, Alabama, shall receive as compensation a salary of \$20,000.00 per annum, which shall be payable in equal monthly installments by proper warrant drawn on the General Fund of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective as to said officer named herein upon the expiration of the current term for which such officer has heretofore been elected or appointed and at the commencement of the next term of said office.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 18, 25, August 1 and 8, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Mr. Taylor:

H. 1638. Relating to the municipal courts of cities having a population of not less than 135,000 nor more than 155,000; allowing the judge of such court to refer persons appearing before him, whom he believes to be non compos mentis, to the probate judge of the county in which said city lies for the purpose of a sanity examination.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2203, 2166, 2164, 2156, 2149, 76, 2195, 2194, 2193, 2192 and 1638. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Flippo and Hill:

H. 2176. Applicable to any county having a population of not less than 65,500 nor more than 75,000 according to the last federal decennial census; to provide for the salary of the members of the Jury Commission of such county.

Also:

By Messrs. Hill and Flippo:

H. 2177. To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County and providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, by amending Sections 2 and 5 thereof; providing that the county governing body shall have and exercise the power to determine which new county roads and bridges are to be built within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, all subject to the approval of the State Highway Department; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with the county governing body of Lauderdale County in its second regular meeting of each month and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
LAUDERDALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County and providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, by amending Sections 2 and 5 thereof; providing that the county governing body shall have and exercise the power to determine which new county roads and bridges are to be built within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, all subject to the approval of the State Highway Department; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with the county governing body of Lauderdale County in its second regular meeting of each month and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, is hereby amended, to read as follows:

"Section 2. The county governing body of Lauderdale County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this act, as follows:

(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

(b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

(c) To determine, subject to the approval of the State Highway Department, the right of eminent domain for the purpose of acquiring right of way for the establishment and changing of county roads and bridges in the manner presently provided by law;

(d) To determine which new county roads and bridges are to be built within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, all subject to the approval of the State Highway Department. Said determination is to be based on public and community need considering the number of families per road mile, vehicle usage, safety factors, traffic flow and such other criteria as may be promulgated by the State Highway Department."

Section 2. Section 5 of Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, is hereby amended to read as follows:

"Section 5. (a) The State Highway Department shall construct, maintain and repair all the county roads and bridges of Lauderdale County from the funds paid over to it pursuant to Section 4 of this Act and from funds which would otherwise accrue to Lauderdale County for road and bridge work from any source whatsoever. (b) The State Highway Department, through its Lauderdale County Engineer, or Assistant Engineer or other representative delegated by the State Highway Department, shall meet with the county governing body of Lauderdale County in its second regular meeting of each month, or such other times and places as may be agreed upon the parties, and at such meetings make and up-to-date status report to such county governing body on the progress of the work of the State Highway Department relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County. (c) The State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report including revenues accruing to Lauderdale County from funds under Section 4 of this Act and from funds which would otherwise accrue to Lauderdale County for road and bridge work from any source whatsoever and expenditures made or obligated from said funds, relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

Section 3. The provisions of the Act are hereby declared to be severable in nature and should any section or other portion thereof be declared unconstitutional or invalid such adjudication shall not affect the portion, or portions, of said Act remaining.

Section 4. The provisions of this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of STATE OF ALABAMA LAUDERDALE COUNTY Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit: A BILL TO BE ENTITLED AN ACT To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 25, August 1, 8, 15, 1973.

BILL HARRISON,
Advertising Manager of Florence Times*Tri-Cities Daily.

Sworn to before me this 15th., day of August 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Messrs. Hill and Flippo:

H. 2178. Relating to the management of the public records of Lauderdale County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Lauderdale County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Lauderdale County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA LAUDERDALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the management of the public records of Lauderdale County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Lauderdale County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Lauderdale County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commissioners of Lauderdale County may require the photographing or microphotographing, on plate or film of any record, document, plat, court file, book, map, paper, or writing made, acquired, or received as required by law by any official of Lauderdale County except those records that the board of registrars is required by law to make and keep, which may be photographed or microfilmed only if this procedure is approved unanimously by the board of registrars. Such photographs, microfilms, or prints made therefrom, when duly authenticated by the custodian thereof, shall have the same force and effect at law as the original record, or of a record made by any other legally authorized means, and may be offered in like manner and shall be received in evidence in any court where such original record, or record made by other legally authorized means, could have been so introduced and received. In like manner, reproductions made from such records by photographic or like process, when otherwise in compliance with applicable statutes, rules and regulations, shall be received and treated in any court of this State as fully as would a transcription or reproduction of such records made by any other means or process.

Section 2. The court or board is authorized to charge to any office, court, board, institution, department or agency of the county the cost of photographing or microphotographing of public records belonging to that office, court, board, institution, department, or agency, by the charging of the cost of such work to that office, court, board, institution, department or agency's appropriation from the county budget.

Section 3. The court or board may from time to time appropriate amounts out of the general fund of the county sufficient to pay the cost of photographing or microphotographing the public records belonging to the county, and may from time to time appropriate amounts sufficient to purchase necessary photographic or microphotographic equipment, materials and supplies therefor.

Section 4. The custodian of public records is authorized to photograph or microphotograph all public records existing as of the effective date of this act, and after such records have been processed and checked for clarity, all presently existing bound volumes may be offered to the State Department of Archives and History for permanent storage. Such volumes as are refused by the Department may be destroyed unless otherwise prohibited by law.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: A BILL TO BE ENTITLED AN ACT Relating to the Management of the public records of Lauderdale County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Lauderdale County as published in Florence Times*Tri-Cities daily on the days and dates and in the amount of space as here given, as follows: July 17, 24, 31, August 7, 1973.

BILL HARRISON.

Sworn to before me this 7th., day of August 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Messrs. Flippo and Hill:

H. 2179. Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session

of the Legislature of the State of Alabama approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), relating to privilege or license taxes or excise taxes in Lauderdale County (outside the corporate limits of the City of Florence) and in the City of Florence, Lauderdale County; levying in such county (outside the city limits of Florence) and in such municipality additional privilege license and excise taxes paralleling the state sales and use taxes provided for in Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and in Articles 11, 11A and 11B, Title 51, Code of Alabama, 1940, as amended; providing that the taxes levied in Sections 1 and 3 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, as amended, except where inapplicable or where herein otherwise provided; providing that the taxes levied in Sections 2 and 4 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided; providing for the alternative collection of such taxes and the enforcement and administration of the Act by the State Department of Revenue if authorized and directed by the governing body of Lauderdale County; and further providing a procedure by which the governing body of Lauderdale County may discontinue availing itself of the alternative collection of such taxes and the enforcement of the Act by the State Department of Revenue after election to invoke such alternative collection and enforcement procedures has been made.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA LAUDERDALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), relating to privilege or license taxes or excise taxes in Lauderdale County (outside the corporate limits of the City of Florence) and in the City of Florence, Lauderdale County; levying in such county (outside the city limits of Florence) and in such municipality additional privilege license and excise taxes paralleling the state sales and use taxes provided for in Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and in Articles 11, 11A and 11B, Title 51, Code of Alabama, 1940, as amended; providing that the taxes levied

in Sections 1 and 3 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, as amended, except where inapplicable or where herein otherwise provided; providing that the taxes levied in Sections 2 and 4 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided; providing for the alternative collection of such taxes and the enforcement and administration of the Act by the State Department of Revenue if authorized and directed by the governing body of Lauderdale County; and further providing a procedure by which the governing body of Lauderdale County may discontinue availing itself of the alternative collection of such taxes and the enforcement of the Act by the State Department of Revenue after election to invoke such alternative collection and enforcement procedures has been made.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama, approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), hereinafter referred to as "Act No. 296", as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), hereinafter referred to as "Act No. 470", is hereby further amended to read as follows:

"Section 1. In Lauderdale County, Alabama (outside the city limits of Florence) there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm, or corporation, engaged, or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfillings contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sale of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the Probate Judge of Lauderdale County, Alabama or with the State Department of Revenue, whichever

office or department then has the responsibility of collecting the taxes herein levied, a sworn statement to that effect and shall keep and maintain records satisfactory to the Probate Judge of Lauderdale County, Alabama or to the State Department of Revenue, whichever office or department then has the responsibility of collecting the taxes herein levied, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged, or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests, conducted by or under the auspices of any educational institution within this state, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Lauderdale County, Alabama (outside the city limits of Florence) an amount equal to one percent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to $\frac{1}{4}$ of 1 percent of the gross proceeds of the sale of such machines; provided, that the term "machines" as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefore, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one fourth of one percent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer, provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of \$5.00 dollars per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied

herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm, or corporation engaged or continuing within Lauderdale County, Alabama (outside the city limits of Florence) in the business of selling at retail any machine, machinery, or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to $\frac{1}{4}$ of 1 percent of the gross proceeds of the sale thereof. Provided, however, the per cent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(f) The tax levied in Section 1 hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented", as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 2. Section 2 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 2. (a) In Lauderdale County, Alabama (outside the city limits of Florence) an excise tax is hereby imposed on the storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail after the effective date of this Act for storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) at the rate of one percent of the sales price of such property, except as provided in subsections (b) (c) and (d).

(b) In Lauderdale County, Alabama (outside the city limits of Florence; an excise tax is hereby imposed on the storage, use or other consumption in Lauderdale County, Alabama (outside the city

limits of Florence) of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this Act at the rate of $\frac{1}{4}$ of 1 percent of the sales price of any such machine; provided, that the term "machine" as herein used shall include machinery which is used for mining, quarrying, compounding, processing, or other manufacturing tangible personal property, and the parts of such machines, attachments and replacements thereof, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) In Lauderdale County, Alabama (outside the city limits of Florence) an excise tax is hereby imposed on the storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this Act for storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) at the rate of one-fourth of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer or semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) In Lauderdale County, Alabama (outside of the city limits of Florence) there is hereby levied and imposed an excise tax on the storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence) of any machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry, on farms, and the parts of such machines, machinery, or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, which is purchased at retail after the effective date of this Act for storage, use or other consumption in Lauderdale County, Alabama (outside the city limits of Florence), at the rate of $\frac{1}{4}$ of 1 percent of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Lauderdale County, Alabama (outside the city limits of Florence). Provided, however, the $\frac{1}{4}$ of 1 percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use except farm trailers used primarily in the production and harvesting of agricultural commodities.

(e) Every person storing, using or otherwise consuming in Lauderdale County, Alabama (outside the city limits of Florence) tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in Lauderdale County, Alabama, showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for tax to which such receipt may refer.

(f) An excise tax is hereby imposed on the classes of tangible personal property, and at the rates imposed on such classes, specified in subsections (a) (b) (c) and (d) of this Section 2, on the storage, use or other consumption in the performance of a contract in Lauderdale County, Alabama (outside the city limits of Florence) of any such

tangible personal property, new or used, the tax to be measured by the sales price of the fair and reasonable market value of such tangible personal property when put into use in Lauderdale County, Alabama (outside the city limits of Florence), whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a) (b) (c) and (d) of this Section 2 are applicable.

(g) Each tax levied in Section 2 hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 3. Section 3 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 3. In the City of Florence, Alabama there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm, or corporation, engaged or continuing within the City of Florence, Alabama in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one-half of one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the Probate Judge of Lauderdale County, Alabama or with the State Department of Revenue, whichever office or department then has the responsibility of collecting the taxes herein levied, a sworn statement to that effect and shall keep and maintain records satisfactory to the Probate Judge of Lauderdale County, Alabama or to the State Department of Revenue, whichever office or department then has the responsibility of collecting the taxes herein levied, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged, or continuing within the City of Florence, Alabama in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and

wrestling exhibitions, football and baseball games, (including athletic contests, conducted by or under the auspices of any educational institution within this state, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, or county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the City of Florence, Alabama an amount equal to one per cent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within the City of Florence, Alabama in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to $\frac{1}{8}$ of 1 per cent of the gross proceeds of the sale of such machines; provided, that the term "machines" as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within the City of Florence, Alabama in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to $\frac{1}{8}$ of one per cent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer, provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of \$5.00 dollars per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, or semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm, or corporation engaged or continuing within the City of Florence, Alabama in the business of selling at retail any machine, machinery, or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating, and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment, an amount equal to $\frac{1}{8}$ of 1 per cent of the gross proceeds of the sale thereof. Provided, however, the $\frac{1}{8}$ of 1 per cent rate herein prescribed with respect to parts, attach-

ments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(f) The tax levied in Section 3 hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented", has amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 4. Section 4 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 4. (a) In the City of Florence, Alabama an excise tax is hereby imposed on the storage, use or other consumption in the City of Florence, Alabama of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail after the effective date of this Act for storage, use or other consumption in the City of Florence, Alabama at the rate of one per cent of the sales price of such property, except as provided in subsections (b) (c) and (d).

(b) In the City of Florence, Alabama an excise tax is hereby imposed on the storage, use or other consumption in the City of Florence, Alabama of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this Act at the rate of $\frac{1}{4}$ of 1 per cent of the sales price of any such machine; provided, that the term "machine" as herein used shall include machinery which is used for mining, quarrying, compounding, processing, or other manufacturing tangible personal property, and the parts of such machines, attachments and replacements thereof, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) In the City of Florence, Alabama an excise tax is hereby imposed on the storage, use or other consumption in the City of Florence, Alabama of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after the effective date of this Act for storage, use or other consumption in the City of Florence, Alabama at the rate of one-fourth of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where

any used automotive vehicle or truck trailer or semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) In the City of Florence, Alabama there is hereby levied and imposed an excise tax on the storage, use or other consumption in the City of Florence, Alabama of any machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry, on farms, and the parts of such machines, machinery, or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, which is purchased at retail after the effective date of this Act for storage, use or other consumption in the City of Florence, Alabama, at the rate of $\frac{1}{4}$ of 1 per cent of the sales price of such property, regardless of whether the retailer is or is not engaged in business in the City of Florence, Alabama. Provided, however, the $\frac{1}{4}$ of 1 per cent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use except farm trailers used primarily in the production and harvesting of agricultural commodities.

(e) Every person, storing, using or otherwise consuming in the City of Florence, Alabama tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in the City of Florence, Alabama, showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for tax to which such receipt may refer.

(f) An excise tax is hereby imposed on the classes of tangible personal property, and at the rates imposed on such classes, specified in subsections (a) (b) (c) and (d) of this Section 4, on the storage, use or other consumption in the performance of a contract in the City of Florence, Alabama of any such tangible personal property, new or used, the tax to be measured by the sales price of the fair and reasonable market value of such tangible personal property when put into use in the City of Florence, Alabama, whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a) (b) (c) and (d) of this Section 4 are applicable.

(g) Each tax levied in Section 4 hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 5. Section 7 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 7. (a) Unless otherwise authorized and directed by the governing body of Lauderdale County as provided in sub-section (b) of this section, the taxes herein levied shall be collected by and paid to the Probate Judge of Lauderdale County in his official capacity.

All reports required to be made to the Commissioner of Revenue of the State of Alabama as to State Sales and Use Taxes under the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940 and amendments thereto, as to such taxes herein levied shall also be made to the Probate Judge of Lauderdale County, Alabama, and as to the taxes herein levied the Probate Judge of Lauderdale County, Alabama shall have and exercise the same powers, duties and obligations as are imposed on the Commissioner of Revenue of the State of Alabama by the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, and amendments thereto, as to state taxes therein levied. The Probate Judge of Lauderdale County shall be reimbursed out of said taxes for all clerk hire and other expense incurred by him in the collection, handling and disbursing of said monies, and shall also be entitled to reasonable compensation for his services in connection therewith, to be paid out of said tax monies, not to exceed one per cent of such collection. And each person or party paying any tax under this Act to said Probate Judge shall be authorized to deduct from the remittance three per cent (3 per cent) of the amount of such tax for reimbursement for the expense of collecting and reporting such tax. (b) If authorized and directed by resolution of the governing body of Lauderdale County, all taxes herein levied shall be collected by and paid to the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto, and amendatory thereof. In the event of such authorization and direction the provisions hereinafter set out in this sub-section (b) shall apply to the payment and collection of the taxes herein levied. The duties hereby imposed upon the Commissioner of Revenue, the Department of Revenue and the State Comptroller shall be assumed and discharged by them after the making and filing with the State Department of Revenue of a certified copy of the authorizing resolution of the governing body of Lauderdale County; but the duty to collect the taxes herein levied shall not be imposed upon the Department of Revenue until the 1st day of the month next following the expiration of thirty (30) days from the date of the filing with it of such certified copy of the authorizing resolution which shall be the beginning period for the collection of such taxes as shall be due on and after said 1st day of the month. This Act shall be enforced by the Commissioner of Revenue and the State Department of Revenue in the same way, and subject to the same rules and regulations, including discounts to licensees, as the state sales tax and the state use tax are enforced as provided in Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and in Articles 11, 11A 11B of Chapter 20 of Title 51, Code of Alabama, 1940, as amended, respectively, and Acts supplemental thereto and amendatory thereof, except where inapplicable or where herein otherwise expressly provided. The State Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of the taxes herein levied. On and prior to the due dates of the taxes herein levied each person subject to said taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measurement of the taxes herein levied, a correct statement of the gross proceeds of all such sales and the gross receipts of

all such business, and setting forth with respect to the use taxes herein levied, the total sales price of all property, the use, storage or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to said taxes and the amounts thereof as the State Department of Revenue may require. Any person subject to the taxes levied herein may defer reporting credit sales until after their collection, and in the event he so defers reporting them, then, he shall thereafter include in each monthly report all credit collections made during the month preceding and shall pay the taxes due thereon at the time of filing such report. All reports and returns filed with the State Department of Revenue under this subsection shall be available for inspection by the governing body of Lauderdale County, or its designated agent, at reasonable times during business hours. The State Department of Revenue shall have full right, power and authority for the use and benefit of Lauderdale County and the City of Florence, as the case may be, to collect the taxes herein levied and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales and use tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes levied by this Act and otherwise to enforce the provisions of this Act, including any litigation involving this Act, and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it hereunder. The State Department of Revenue shall charge Lauderdale County and the City of Florence, respectively, for collecting the respective special county and city taxes herein levied such amount or percentage of total collections as may be agreed upon by the Commissioner of Revenue and the governing body of Lauderdale County, but such charge shall not in any event exceed five per cent of the total amount of the special city and county taxes collected hereunder. Such charge for collecting said taxes may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due the designated recipients of such taxes for that month. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this Act as such taxes are received by the Department of Revenue. On or before the fifth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder) the Commissioner shall certify to the State Comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Lauderdale County and the City of Florence respectively during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of said taxes paid into the state treasury during each month for the benefit of Lauderdale County and the City of Florence respectively, the Commissioner may deduct from the said taxes collected in said month the charges due the department for such collection. (c) if the governing body of Lauderdale County elects to invoke the provisions of preceding sub-section (b) of this section for the collection of the taxes herein levied and thereafter determines to discontinue availing itself of the alternative methods prescribed by preceding sub-section (b) of this section for the collection of the taxes herein levied it shall adopt a resolution so declaring and file a certified copy thereof with the Department of Revenue, whereupon the duties imposed upon the Commissioner of Revenue, the State Department of Revenue and the State Comptroller hereby shall terminate as of the 1st day of the month next following the expiration of thirty (30) days from the date of the filing with the State Department of

Revenue of such certified copy and thereupon the provisions of preceding sub-section (a) of this section shall be automatically effective."

Section 6. Section 8 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 8. (a) In the event the provisions of sub-section (a) of Section 7 of this Act are utilized for the collection of the taxes herein levied, the Probate Judge of Lauderdale County shall at monthly intervals pay over any monies collected by him from such taxes, less his expense and compensation as hereinbefore provided, to the Lauderdale County Board of Education, and the City Board of Education in the same proportions as the school funds allocated by the State of Alabama to Lauderdale County, and the City of Florence, are now or may hereafter be divided. (b) In the event the alternative methods prescribed by sub-section (b) of Section 7 of this Act are utilized for the collection of the taxes herein levied, it shall be the duty of the State Comptroller in his official capacity to issue his warrant each month in collective total amount equal to the total amount certified and paid into the state treasury by the Commissioner of Revenue during the month immediately preceding under the provisions of this Act payable to the Custodian of Public School Funds, Lauderdale County, Alabama, who shall forthwith pay over such funds to the Lauderdale County Board of Education and the Florence City Board of Education in the same proportions as the school funds allocated by the State of Alabama to Lauderdale County and the City of Florence are now or may be hereafter divided."

Section 7. Section 10 of Act No. 296, as amended by Act No. 470, is hereby further amended to read as follows:

"Section 10. In event the taxes herein levied are being collected by and paid to the Probate Judge of Lauderdale County under the provisions of this Act, the taxes herein levied shall be due and collectible at the times and manner and as set out in the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, and amendments thereto, and all of the methods and provisions given to the State of Alabama as to the collection of said taxes under the provisions of the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, and amendments thereto, are given hereby to Lauderdale County and the City of Florence as to the taxes hereby levied."

Section 8. All laws or parts of laws in conflict with any provision of this Act are hereby repealed.

Section 9. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Bill Harrison, Advertising Manager of Florence Times*Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert

Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: STATE OF ALABAMA LAUDERDALE COUNTY Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit: Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Ala. as published in Florence Times*Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: July 6, 13, 19, & 26, 1973.

BILL HARRISON.

Sworn to before me this 26th day of July 1973.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.

My Commission Expires December 13, 1976.

Also:

By Mr. McDonald:

H. 2180. Relating to counties having a population of not less than 53,000 nor more than 55,000, based on the last Federal decennial census.

Also:

By Mr. McDonald:

H. 2181. Relating to counties having a population of not less than 53,000 nor more than 55,000, based on the last Federal decennial census.

Also:

By Mr. Barkett:

H. 2183. To amend the title and Section 1 of Act 149, H. 627, Regular Session 1969 (Acts 1969, p. 426), which provides for compensation and expense allowance for the county governing body in certain counties classified on a population basis.

Also:

By Mr. Barkett:

H. 2184. To amend Sections 1, 2, and 3 of Act No. 1856, H. 2614 Regular Session 1971, (Acts 1971, Page 3012), which provides for further regulating the days, hours, and places of meetings of the board of registrars in counties with a population of not less than 52,500 or more than 54,000, and setting the compensation of it's members, requiring forfeiture of certain compensation for violations, repealing conflicting laws and specifically repealing Act No. 128, H. 366, Regular Session 1969 (Acts 1969, P. 403).

Also:

By Messrs. Crowe and Narramore:

H. 2196. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of

members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and members thereof.

Also:

By Mr. Stubbs:

H. 2202. To authorize the county governing body in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census, to appropriate not more than \$1.00 per week per prisoner sentenced to hard labor in such counties as a weekly allowance for such prisoners.

Also:

By Messrs. Carter and Cross:

H. 2205. Relating to all counties having a population of not less than 39,500 nor more than 41,750 according to the last or any subsequent federal decennial census; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Also:

By Mr. McDonald:

H. 2206. Relating to any county having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; granting the county commission, at county expense, the power to authorize work for any municipality in such county in regard to public airports, public schools or work in connection with the building of roads and site preparation for new industry in such county.

Also:

By Mr. Snell:

H. 2208. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

Also:

By Mr. Smith (K):

H. 2210. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 33,550 and not more than 34,000 according to the most recent federal decennial census.

Also:

By Messrs. Porter and Chesnut:

H. 2211. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2176, 2177, 2178, 2179, 2180, 2181, 2183, 2184, 2196, 2202, 2205, 2206, 2208, 2210 and 2211. To the Committee on Local Legislation No. 1.

(The above Bill, H. B. 2211, was read a first time at length as required by the Constitution.)

BILLS RE-REFERRED

Mr. Fine moved that, in accordance with Senate Rule 50, the Bills, H. B.'s 1409, 990 and 845 be recalled from the Standing Committee on Judiciary and re-referred to the Standing Committee on Finance and Taxation, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 1409, 990 and 845, re-referred to the Standing Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gafford, et al (With Amendment):

H. 1792. To provide further for the compensation of the Clerk of the House and the Secretary of the Senate; providing for an annual salary for each of said officers and requiring that all fees received by them from the sale of bills introduced in the Legislature shall be paid into the State General Fund; to provide that the effective date of this act shall be January 1, 1974.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Grainger, Carter, Hearn and Carnes:

H. 343. To amend Title 36, Section 53, of the Code of Alabama 1940.

Mr. Cook, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Grainger, Lutz, King and Hale:

H. 1404. To transfer certain historic property commonly referred to as "Constitution Park" and located in Huntsville, Madison County, Alabama, owned by the State of Alabama, or any department or entity thereof, to the Alabama Historical Commission.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grainger:

H. 357. To further amend Sections 4, 10 and 15 of Act No. 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

By Mr. Hardin:

H. 1126. Proposing an amendment to the Constitution of Alabama which would authorize the enactment of general and local laws with criminal penalties for the conservation and protection of the fish, wild-life, seafoods and agriculture of this state and further, authorizing the delegation to appropriate state agencies the power to promulgate rules and regulations pertaining thereto.

(The above Bill, H. B. 1126, was read a second time at length as required by the Constitution.)

Mr. Horne, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Waggoner and McBride:

H. 142. To provide that school principals shall supervise the operation and management of schools under policies determined by local boards of education and to assign school principals administrative responsibilities and the coordination of instructional leadership under the supervision of the local school superintendent and to provide that school principals shall have the right to submit to the superintendent recommendations on all personnel.

By Messrs. Bank, Robertson, Parker, Turnham and Grainger:

H. 295. To amend Title 52, Section 341, Code of Alabama, 1940, to provide that the county or city superintendent may excuse a teacher from attendance at institute held prior to the beginning of the school term and to further provide that when such absence is due to sickness the teacher may be granted sick leave in accordance with policies governing such leave on any regularly scheduled work day.

By Mr. Pierce:

S. 945. To amend the title, Sections 1, 4 and 8 of Act No. 14, H. B. 5, Special Session 1969, (Acts 1969, p. 28), which Act establishes the Alabama Commission of Higher Education for the general purpose of promoting an educational system in this state that will provide the highest possible quality of collegiate and university education in this state, so as to change the title of said Commission on Higher Education; to provide that upon the authorization of the Commission professional and administrative staff employees shall be eligible to participate in certain retirement and annuity programs and to further expand the powers and duties of the Commission by designating it as the Statewide planning agency for tax-supported post-secondary education in this state and therefore the state's agency for all federally funded programs which require a central state planning and administering agency.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Edwards:

H. 376. To amend Title 52, Section 322, to provide for certification of nurses to serve in the position of professional school nurse and to provide that prior to the issuance of such certificate the applicant shall have met all requirements prescribed by the State Board of Nursing for license as a Registered Nurse.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Stubbs, et al (With Amendments):

H. 823. To purify, preserve and maintain the Cahaba River; to prohibit the construction of additional dams and impoundments; to provide for the removal of those already constructed that are not owned by public utilities or governmental bodies; to prescribe remedies and penalties for violations of this Act and to provide otherwise for its enforcement.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Grainger:

H. 1337. To establish the Alabama Board of Hearing Aid Dealers; to provide for licensure of persons who are dealers and fitters of hearing aids; to provide for the regulation of dispensing and fitting of hearing aids to the public; to provide for hearings for persons who are denied a license or have their license suspended by the Alabama Board of Hearing Aid Dealers; to repeal conflicting Acts, especially Act No. 2425, H. 392, Regular Session 1971 (Acts 1971, p. 3858); and to provide for penalties and punishment for violation of any of the provisions of this Act.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Agee and Roberts:

H. 672. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; to provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this state shall cover and include the services performed by podiatrists under this act; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

By Mr. Turnham, et al:

H. 1560. To further amend Section 2 of Act No. 100, H. 94, Second Special Session 1959, relating to revenue, to exclude the sales tax exemption on certain products sold in vending machines and substitute therefor a tax on all purchases for resale, of food and food products, not including beverages other than coffee, milk, milk products and substitutes therefor, through coin operated dispensing machines.

By Mr. Pruitt, et al:

H. 1319. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to redefine the term "all property of utilities" and thereby except therefrom the property of railroads, freight lines and equipment companies engaged in the business of leasing railroad equipment, and so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

By Mr. Hill, et al:

H. 1022. To establish a Community Service Agency within the Executive Office of the Governor; to authorize said agency to analyze the human service needs in all areas not specifically assigned to another state agency; to cooperate with other state agencies, regional planning and development commissions, local governing bodies, public and private non-profit corporations, and other private and public agencies in the development and implementation of a delivery system for human services; to authorize said agency to award grants and contracts for the administration of human service programs, which may be funded from federal, state, regional, local and private sources.

By Mr. Drake:

H. 1515. Amending Section 77 of Title 41, Alabama Code, 1940, requiring the execution of bonds by a tax collector, so as to provide a formula for determining the amount of the bond.

By Mr. Turnham:

H. 1154. To amend further Sections 1, 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provision of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans.

By Messrs. St. John and Wood:

H. 1250. To authorize any public corporation organized under the provisions of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama to merge into any public corporation organized or the certificate of incorporation of which has been amended under the provisions of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama; to prescribe the means for accomplishing such merger and the effect thereof; and to prohibit any such merger except in cases where the merging corporation was created and the incorporation of the surviving corporation was authorized by the same municipality and the surviving corporation has authority to own and operate any utility system or systems of the same general nature as that or those owned by the merging corporation.

By Mr. Snell:

H. 311. To amend Sections 5 and 6 of Act No. 29, H. 43, Special

Session 1970, (Acts 1969-70, Vol. III, p. 2630), which relates to the establishment of Water, Sewer, and Fire Protection Districts in the several counties, to allow staggered terms of office for its directors so as not to affect any other district now in operation.

By Messrs. Collins and Callahan:

H. 1069. To authorize a transfer between certain funds of the State Docks Department, amending Section 15 of Act No. 311, H. 253, approved August 20, 1957, an act providing for development of inland docks (Acts of Alabama 1957, Vol. I, P. 408), and providing that the amendment shall have retroactive effect.

By Messrs. Merrill, Stewart, Burgess and Cottingham:

H. 622. To provide that all retirement income or disability pay received by any retired military personnel and retired employees of the Tennessee Valley Authority, also salary of retired people in foreign service who are residents of Alabama, shall be exempt from all state, county or city income taxes or like taxes.

By Mr. Barkett:

H. 1447. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding (\$3,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of The Army.

(The above Bill, H. B. 1447, was read a second time at length as required by the Constitution.)

By Messrs. Crawford, Lyons and Connell:

H. 833. To further amend the title and Section 1 of Act No. 756, H. 733, enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include, in connection with any industry for the manufacturing, processing or assembling of any agricultural or manufactured products, facilities for producing industrial water for use in connection with the operation of such industry.

By Mr. Gafford:

H. 3. To amend Section 1 of Act No. 2128, S. 5, 1971 Regular Session approved September 20, 1971, entitled "To provide sales and use tax exemptions for certain medicines purchased by prescription," so as to extend the tax exemption to persons who are retired due to permanent and total disability, regardless of age, and to give the Commissioner of the State Department of Revenue certain duties and powers in connection therewith.

By Mr. Gafford:

H. 4. To amend the Code of Alabama 1940, Title 51, Section 15, as amended, relating to the exemption of homesteads from State ad valorem taxes, so as to provide additional exemptions for persons who are retired due to permanent and total disability, regardless of age, and to give the State Commissioner of Revenue certain powers and duties in connection therewith.

By Mr. Barkett, et al:

H. 1338. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of The Army; creat-

ing the Alabama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Mr. Malone, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Bank, et al (With Substitute) (With Amendment):

H. 1307. To amend Sections 1, 2, 3, 4, 8 and 9, Title 22, Code of Alabama 1940, as amended, which sections relate to the State Board of Health, so as to further regulate said Board.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Bailes (By Request) (with notice and proof):

S. 944. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Vestavia Hills, Jefferson County, Alabama.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Timmons, et al (With Substitute):

H. 619. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which Act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent Federal census.

By Mr. Timmons, et al (With Substitute):

H. 620. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and,

subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

By Mr. McMillan, et al (With Substitute):

H. 1659. Providing further for County Zoning and Planning Commissions in Counties having a population of not less than 600,000 inhabitants according to the most recent federal decennial census.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell, et al (With Notice and Proof):

H. 1848. To amend Section 13 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, providing for a retirement system for employees and officers of Jefferson County, Alabama.

By Mr. Doss, et al:

H. 1849. To provide that the governing body of any county of the state having a population of 500,000 or more according to the last or any subsequent federal census shall be authorized to accord persons who are members of the Pension System established for officers and employees of the county the option to convert all, or any part of, their unpaid membership time to paid membership time; provided, however, that such power shall be subject to the conditions and limitations prescribed in the Act.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Doss, et al (With Notice and Proof) (With Amendment):

H. 1850. To further amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, (Ala. Acts, 1965, page 717 et seq.), as heretofore amended, establishing a Pension System for officers and employees of Jefferson County, Alabama.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Meeks, et al:

H. 1854. To submit to the qualified electors of Alabama an amendment to the Constitution of said State providing that the governing body of the city of Birmingham shall have the power to supplement the pension or benefit payable from, or out of, a pension system es-

established for city personnel provided that such supplement is based upon an increase in the cost of living occurring since establishment of the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

By Mr. Meeks, et al (With Notice and Proof):

H. 1855. To amend sub-section (a) of Section 12 of Act No. 497 of the Regular Session of the Legislature of Alabama 1965 (Ala. Acts, 1965, page 717 et seq.), establishing a pension system for officers and employees of Jefferson County, Alabama.

By Mr. Meeks, et al (With Notice and Proof):

H. 1856. To amend Section 4 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, page 717), establishing a pension system for officers and employees of Jefferson County, Alabama.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gafford (With Substitute):

H. 1906. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Callahan and Lyons:

H. 1583. To amend further Section 12 of Act No. 1, 1945 General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 8) as amended by Act No. 83, 1956 Second Special Session, approved April 12, 1956, (Special Acts 1956, p. 374), which relates to establishing drilling units and the minimum and maximum size of drilling units.

By Messrs. Callahan and Lyons:

H. 1584. To amend Section 25 of Act No. 1, 1945, General Acts of Alabama, approved May 22, 1945, (General Acts 1945, p. 1), which relates to oil and gas and the State Oil and Gas Board, by increasing the permit fee for oil and gas wells from \$25.00 per well to \$100.00 per well, and to provide for the deposition of permit fees, penalties and publication fees in the Oil and Gas Fund; said fund to be used by the Oil and Gas Supervisor to defray expenses incurred by the Supervisor in the performance of his duties under this article.

By Messrs. Callahan and Lyons:

H. 1585. To amend Section 13 of Act No. 1, 1945 General Acts of Alabama, page 1, approved May 22, 1945, an act to conserve natural resources, prevent waste and provide regulation, control and supervision of the drilling for and the production and use of oil and gas in the State of Alabama so as to add a provision for integrating interests as well as tracts.

By Mr. Reid (R):

H. 100. To amend Code of Alabama 1940, Title 48, Section 79, which regulates appeals from final actions and orders of the Alabama Public Service Commission, relative to the time of hearing such appeals.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cook:

S. 891. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 300,000 according to the most recent federal decennial census.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. King, Hearn, Hale and Lutz:

H. 1425. To amend Section 3 of Act No. 476, H. B. 627, Regular Session 1955 (Acts 1955, p. 1084), as amended, which section relates to the compensation of the deputy district attorney of the Twenty-third Judicial Circuit, so as to further regulate the compensation of said deputy district attorney.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ellis:

H. J. R. 199. WHEREAS, It has been brought to our attention that South Carolina has adopted a pilot program for a broad, new educational concept called "The Voluntary Quinmester Plan"; and,

WHEREAS, This plan is a program which divides a normal 180 day school year into four periods of time, called "Quins" (short for quinmester). The old summer school session is replaced by a fifth quin. Each subject is designed so that final credit is earned during that nine-week period. Each course has a final grade, and the student earns as many quin units as he has completed courses during the year. Each student must attend four out of five quins during the year; and, should he desire, may attend all five and qualify for early graduation. And,

WHEREAS, This program has been successful in other places such as Miami, Florida (Dade County school system) and allows flexibility for curriculum scheduling vacation of the family, and allows the student much better selection of courses; and

WHEREAS, This proposed quinmester plan also makes better utilization of school buildings and facilities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE EDUCATION COMMITTEE, after due consideration and study of the quinmester plan, that the Alabama State Department of Education, under the direction of the State Superintendent of Schools, is hereby requested to make a thorough study of this proposed plan and make recommendations based on the observation of the four school districts' pilot program in South Carolina, and such other school districts as desired, and make a report of its findings to this Committee and the State Board of Education.

BE IT FURTHER RESOLVED That this study be made as soon as feasible to gain accurate data on which this Committee and the State Board of Education can base a decision to implement such a pilot program for Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 199, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 150. Be It Resolved By The Legislature Of Alabama, Both Houses Thereof Concurring:

That there is hereby created a joint interim committee for the purpose of making an investigation and study relative to amending the probate law of Alabama to conform to the Uniform Probate Code.

The Committee shall be composed of four members from the House, to be appointed by the Speaker of the House, and three members from the Senate, to be appointed by the Lieutenant Governor. The members of the committee shall elect a chairman and a vice-chairman.

The members of the Committee shall be allowed, for not exceeding ten days, the regular per diem for expenses now allowed the members of the Legislature for their attendance during regular sessions. Payment shall be made upon certificates of attendance signed by the Chairman or Vice-Chairman.

The Committee shall seek the advice, assistance and cooperation of the Alabama Law Institute, the Alabama Bar Association, and other persons or groups of persons in an effort to do everything possible to improve the probate laws of Alabama, and to that end may hold public hearings if deemed advisable.

The Committee shall report its findings, conclusions, and recommendations to the Legislature not later than the fifth (5th) legislative day of the 1975 Regular Session, whereupon the Committee shall be dissolved.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 150, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Dill:

H. J. R. 175. URGING THE STATE EXAMINERS OF PUBLIC ACCOUNTS TO AUDIT THE BOOKS, RECORDS AND ACCOUNTS OF THE CITY OF MIDFIELD, ALABAMA.

WHEREAS, the City of Midfield, Alabama has requested the State Auditor and the Examiners of Public Accounts to audit the books of that city and that city's board of education; and

WHEREAS, neither of these public agencies has responded to the requested audits and the City of Midfield is still desirous of such audits; and

WHEREAS, Title 55, Section 160(1), Code of Alabama 1940 authorizes and requires the Division of Public Examiners to audit the records and accounts of any city board of education upon request; and

WHEREAS, the governing body of the City of Midfield is authorized to request an audit of the records and accounts of its city pursuant to Title 37, Section 81, Code of Alabama 1940; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature strongly urges the State Department of Examiners of Public Accounts to audit the books, records and accounts of the City of Midfield and of the City of Midfield Board of Education.

BE IT FURTHER RESOLVED, that such audits be performed within 90 days after passage of this resolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 175, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ellis:

H. J. R. 182. REQUIRING CERTAIN DUTIES OF THE STATE PERSONNEL BOARD RESPECTING THE CLASSIFICATION OF POSITIONS FOR EMERGENCY MEDICAL SERVICES AND THE ESTABLISHMENT OF RATES OF PAY

WHEREAS, the health of the people of the State of Alabama is of paramount importance, and the provision for more adequate and efficient emergency medical services personnel is of dire and vital import; and

WHEREAS, in order to carry out the mandates expressed by the legislature to provide comprehensive health planning and particularly to provide for the employment of personnel of the highest qualification and competence in the emergency services division of the state health department is basic to the success of the entire program; and

WHEREAS, intense competition among private and governmental agencies for persons skilled in emergency health services and the protection of health makes it impossible to recruit qualified new personnel and makes it difficult to retain competent personnel under present conditions; and

WHEREAS, the increased and expanding programs for providing emergency health services throughout the nation has created and will create intense competition among those programs for the limited supply of top quality medical technicians and persons skilled in allied health services, and there is strong evidence that pay rates currently applicable to such employees in Alabama fall far below the national average and below the Southeastern regional average for such pay rates; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state personnel board shall provide for the establishment within the state merit system of new job descriptions defining the duties of emergency medical personnel and prescribing requirements for qualifying for such positions. Within 30 days after the effective date of this resolution, the said board is hereby directed to make surveys of the other states within the Southeastern region to determine prevailing rates of pay for comparable emergency medical service positions as such positions are classified under this state's merit system law. Within 60 days after the effective date of this resolution, the said board shall set and maintain rates of pay for emergency medical service positions as such positions are respectively classified, at no less than the median of the prevailing rates for such positions in the Southeastern region. The state personnel board is also directed to update rates of pay biennially for emergency medical service positions in the same manner as such rates are originally established in order to attract and retain competent personnel.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the state personnel board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 182, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Coshatt:

H. 2053. To authorize the governing body of any county having

a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census, or the governing body of any municipality within such county to establish within such county or within any municipality within such county ambulance service on a non-profit basis; to authorize such county to unite with any municipality within such county or two or more municipalities within such county, to unite with each other or together with such county, in the establishment of such ambulance service, making such service common for the use of such county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by such county or any municipality within such county; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality within such county from tort liability while operating ambulances or providing ambulance service as authorized herein.

Also:

By Messrs. Barron, Taylor, Hobbie and Harris:

H. 2128. Relating to all counties having a population of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; providing further for the salary of the sheriff.

Also:

By Mr. Taylor:

H. 1395. To empower Municipal and/or Recorders Courts in municipalities having now or hereafter having a population of not less than 70,000 persons, nor more than 180,000 according to the last or any subsequent federal census, to suspend sentences and/or grant probation under certain conditions.

Also:

By Mr. Hobbie:

H. 2161. To amend Section 1 of Act No. 184, S. 123, 3rd Special Session 1971 (Acts 1971, p. 4445) which provides for staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs, in certain cities classified on a population basis, so as to prescribe their compensation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2053, 2128, 1395 and 2161. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Casey:

H. 1917. Relating to any county having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most

recent federal decennial census; further regulating the compensation of members of the county commission and the ex officio chairman of said county commission.

Also:

By Messrs. King, Hearn, Lutz, Grainger and Hale:

H. 2189. To change the compensation of the tax collector of Madison County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To change the compensation of the tax collector of Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax collector of Madison County, Alabama, shall receive as compensation a salary of \$20,000.00 per annum, which shall be payable in equal monthly installments by proper warrant drawn on the General Fund of said county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective as to said officer named herein upon the expiration of the current term for which such officer has heretofore been elected or appointed and at the commencement of the next term of said office.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 18, 25, August 1 and 8, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 8th day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2187. To provide an expense allowance for the Chairman of the Madison County Commission; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for the Chairman of the Madison County Commission; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Be It Enacted by the Legislature of Alabama:

Section 1. The Chairman of the Madison County Commission shall receive an allowance for expenses in the amount of \$4,500.00 per annum, which expense allowance shall be payable in equal monthly installments by proper warrant drawn on the General Fund of the county. This expense allowance shall be in addition to any expense allowance or other entitlement presently received by said officer and supplemental to any such allowance or entitlement.

Section 2. Said allowance shall be received by said officer heretofore named during the current term of office of said officer. At the expiration of the present term of said officer named herein and with the commencement of the next term of said officer named herein the compensation paid said officer as salary shall be increased by the amount of the expense allowance herein granted and the expense allowance provided shall terminate. Any expense allowance or other entitlement allowed by law to be paid to said officer herein named prior to the passage of this Act shall continue to be paid to said officer.

Section 3. All laws or parts of laws which conflict with this Act are replaced.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being

by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on July 13, 20, 27, and August 3, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 3rd day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Grainger, Hale, Lutz, King and Hearn:

H. 2188. Relating to counties having a population of not less than 175,000 nor more than 300,000; providing salary increase for the sheriff of such counties.

Also:

By Messrs. Bank, Robertson and Culver:

H. 1625. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

By Mr. Lang:

H. 1784. To relieve members of the Greene County Commission of the obligation of making payment for certain illegal expenditures of county funds for ambulance services; to appropriate county funds for reimbursements for certain payments heretofore made.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To relieve members of the Greene County Commission of the obligation of making payment for certain illegal expenditures of county funds for ambulance services; to appropriate county funds for reimbursements for certain payments heretofore made.

Be It Enacted by the Legislature of Alabama:

Section 1. Whereas the County Commission of Greene County, which is composed of the following persons, namely: William M. Branch, Harry C. Means, Vassie Knott, Levi Morrow and Frenchie Burton has been collectively and individually charged by the Department of Examiners of Accounts with the illegal expenditure of public funds of the county because of their use of such funds in paying ambulance charges in the amount of \$450 to the Gandy Funeral Home and to the Demopolis Police Department in the amount of \$825 for transporting indigent citizens of Greene County who were in need of ambulance services; each above named commissioner has been ordered to pay \$255 to Greene County for his proportionate share of such expenditure. It has been determined and is hereby declared that such expenditures were made in good faith and occurred under such circumstances as to constitute a moral and just obligation of the county, that the above named individuals have no recourse at law, and that they are hereby relieved of the duty to pay the county any amount for such expenditures. It is further declared that if any of the above named commissioners has, prior to the effective date of this act, paid all or any part of his proportionate share of such expenditure, he shall be entitled to reimbursement from public funds of the county for such amount as he has paid.

Section 2. The Greene County Commission is hereby authorized to pay out of any county funds not otherwise appropriated such amount as may be necessary to reimburse each of the individuals named in Section 1 of this act for any amount paid by them to the county as charged for illegal expenditures for ambulance service. It is specifically provided, however, that in no case shall any one of such persons be entitled to reimbursement of more than \$255.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor & publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper

once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7 and June 14, all in the year 1973.

RICHARD K. MARTIN.

Sworn to and subscribed before me July 31, 1973.

LAURA D. CHAMBERS,
Notary Public.

My commission expires 3-24-75.

Also:

By Mr. Lang:

H. 1785. To amend Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-51, vol. I, p. 383), as amended, an act relating to the powers, duties, and compensation of the court of county commissioners of Greene County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-51, vol. I, p. 383), as amended, an act relating to the powers, duties, and compensation of the court of county commissioners of Greene County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-51, vol. I, p. 383), as amended, an act relating to the powers, duties and compensation of the chairman and members of the court of county commissioners of Greene County is hereby amended to read as follows:

"Section 5. The Court of County Commissioners of Greene County may employ such number of clerks as may be considered necessary for the transaction of the court's business, and may fix their compensation and provide for the payment thereof from the county treasury; but all questions involving the appointment, tenure, and compensation and provide for the payment thereof from the county.

"Section 5. The Court of County Commissioners of Greene County may employ such number of clerks as may be considered necessary for the transaction of the court's business, and may fix their compensation and provide for the payment thereof from the county treasury; but all questions involving the appointment, tenure, and compensation of clerical personnel of the court shall be decided by a majority vote of the commission members present and voting."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor & publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7 and June 14, all in the year 1973.

RICHARD K. MARTIN.

Sworn to and subscribed before me July 31, 1973.

LAURA D. CHAMBERS,
Notary Public.

My commission expires 3-24-75.

Also:

By Mr. Parker:

H. 1918. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

Also:

By Mr. Barkett:

H. 2051. To alter, rearrange and extend the boundary lines and corporate limits of the city of Ozark in Dale County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE
A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the city of Ozark in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the city of Ozark are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, a track of land more particularly described as follows:

The south half of Section 8; The west half of the SW $\frac{1}{4}$ of Section 9; The North half of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, all in T5N, R24E in Dale County, Alabama and containing 440 acres, more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
DALE COUNTY**

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for four consecutive weeks, said notice having appeared in the issue of said paper on July 18, 25, August 1, and 8, 1973.

JOSEPH H. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 8 day of August, 1973.

IRENE MATHIS,
Notary Public.

Also:

By Mr. Barkett:

H. 2052. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayhatchee in Dale County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

**STATE OF ALABAMA
COUNTY OF DALE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayhatchee in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Clayhatchee are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, a track of land more particularly described as follows:

The South half of the SE $\frac{1}{4}$ of Section 11, T3N, R23E.

Also, a strip of land 600 feet wide being 300 feet wide on either

side of the centerline of the following described roads; beginning at the intersection of the East line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, T3N, R23E and the centerline of that paved road known as the Gritney Road (S.A.C.P. 7390-A) thence West along said centerline of said Gritney Road to the intersection with State Highway No. 85; thence continuing a strip 300 feet wide on either side of the centerline of said Highway 85 in a Southerly direction until meeting the existing city limits being the North line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 15, T3N, R23E. Said 600 foot strip being in and a portion of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, the NW $\frac{1}{4}$ of Section 2, T3N, R23E; also the East $\frac{1}{2}$ of the NE $\frac{1}{4}$, the SE $\frac{1}{4}$ of Section 3, T3N, R23E; also the West $\frac{1}{2}$ of the NE $\frac{1}{4}$, the East $\frac{1}{2}$ of the NW $\frac{1}{4}$, the West $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 10, T3N, R23E, Dale County, Alabama.

Also, a strip of land 600 feet wide being 300 feet on either side of State Highway No. 84, more particular described as follows: beginning at the present city limits that is the intersection of the East line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, T3N, R23E and said centerline of State Highway 84, thence East and Southeast to the Choctawhatchee River. Said 600 foot strip being in and a portion of NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13, T3N, R23E and the South half of the SE $\frac{1}{4}$ of Section 12, T3N, R23E and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 18, T3N, R24E, Dale County, Alabama.

Also a strip of land 600 feet wide being 300 feet on either side of the center line of County Road Number 26, being more particularly described as follows; beginning at the present city limits that is the intersection of the North forty line of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 14, T3N, R23E, and the center line of County Road No. 26; thence Southeast to the South forty line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 14, T3N, R23E; thence East to the East forty line of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 14, T3N, R23E; thence North to the South forty line of the North half of the NE $\frac{1}{4}$, Section 14, T3N, R23E, and the present city limits, said 600.0 foot strip of land being in and a portion of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$, and the South half of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ and the South half of the NE $\frac{1}{4}$, Section 14, T3N, R23E, Dale County, Alabama.

Section 2. The provisions of this Act relating to the inclusion of that territory hereinabove described within the corporate limits of the town of Clayhatchee in Dale County shall become effective upon the approval of a majority of the qualified electors who reside within such territory, voting in a referendum election to be held on a day designated by the probate judge of Dale County, not less than twenty nor more than forty days from the date of this enactment or upon the waiver of the election and approval as provided by Article 1 of Chapter 5 of Title 37, Section 135 (9), Code of Alabama 1940, as amended. The notice of the election shall be given by the probate judge of Dale County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 1 of Chapter 5 of Title 37, Code of Alabama 1940, as amended, for giving notice of and conducting elections on the question of annexation and extending limits and boundaries in general insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act No. _____ H. _____ of the 1973 Regular Session of the Legislature, which provides for the inclusion of that territory hereinabove described within the corporate limits of the town of Clayhatchee in Dale County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of such Act the word

"No" shall be written or printed on his ballot. The town of Clayhatchee shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this Act shall become effective immediately. If the majority are "No" this Act shall have no further effect.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, 25, August 1, and 8, all in the year 1973.

JOSEPH H. ADAMS.

Sworn to and subscribed before me August 8, 1973.

IRENE MATHIS,
Notary.

Also:

By Mr. Barkett:

H. 2077. To change the method of compensating the probate judge of Dale County, placing such officer on a salary basis, providing for the operation of his office on such basis, and providing that the fees, commissions, percentages and allowances provided the probate judge under the general law shall be paid into the county treasury, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA DALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To change the method of compensating the probate judge of Dale County, placing such officer on a salary basis, providing for the op-

eration of his office on such basis, and providing that the fees, commissions, percentages and allowances provided the probate judge under the general law shall be paid into the county treasury, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Dale County shall be compensated on a salary basis. His salary shall be \$18,000 per annum payable in equal monthly installments out of the general fund of the county, and shall be in lieu of all fees, commissions, charges heretofore paid to such judge.

Section 2. The fees, commissions, percentages, and allowances provided such probate judge under the general law shall be collected by said judge and be paid by him into the general fund of Dale County. The compensation provided in Section 1 of this act shall be his entire compensation for the performance of his duties as such judge or for the performance of any ex officio duties imposed upon him by law.

Section 3. The governing body of Dale County shall provide the probate judge with such office personnel, clerks, deputies, and such quarters, books, stationery, furniture, equipment and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of his office. Compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 4. The provisions of this act shall become operative in Dale County only if they are first approved by a majority of the qualified electors of said county who vote thereon in a referendum election. Said referendum shall be on the first Tuesday after the expiration of three months from the final adjournment of the current session of the Legislature at which time the question submitted shall be:

Shall Act No. _____ of the _____ Session of the Legislature (here insert the number of this Act) which provides for the changing of the method of compensating the probate judge of Dale County and providing for the operation of said office be approved?

_____ Yes _____ No.

The court of county commissioners of Dale County shall order and provide for holding the referendum. If a majority of the votes cast at the referendum vote in favor of this act it shall become effective January 1, 1974. If a majority of the votes cast in the referendum are opposed to the provisions of this act, it shall have no further effect.

Section 5. The provisions of this act and severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws and parts of laws in conflict herewith are repealed and Act No. 2036, H. 2615 Regular Session 1971, approved November 20, 1971 is specifically repealed.

STATE OF ALABAMA
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice

was published in said newspaper for once a week for four consecutive weeks, said notice having appeared in the issue of said paper on July 18, 25, August 1, and 8, 1973.

JOSEPH H. ADAMS,
Publisher.

Sworn to and subscribed before me on this the 8th day of August, 1973.

IRENE MATHIS,
Notary Public.

Also:

By Messrs. McMillan, Boutwell, Gafford, Doss, Falkenburg, Weeks, Meeks, Timmons, Dill, McBride, Erdreich and Naramore:

H. 1590. To amend Section 2 of Act No. 474, H. 202, of the 1961 Regular Session of the Legislature of Alabama entitled "An Act providing for the relocation of utility facilities when necessitated by federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs upon federal participation and federal funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1917, 2189, 2187, 2188, 1625, 1784, 1785, 1918, 2051, 2052 and 2077. To the Committee on Local Legislation No. 1.

H. B. 1590. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Waggoner, Bowers and Meeks:

H. 2097. To authorize the City of Vestavia Hills, Alabama to pay Roland L. Paulin for certain expenses as a result of an injury to his son, Mark Paulin.

Also:

By Mr. Edwards:

H. 2150. Relating to counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census, allowing the county governing bodies of such counties to pay one deputy sheriff from either the public highway and traffic funds or the general funds of such counties, a salary in an amount not to exceed \$500.00 per month payable to such deputy sheriffs, said salary additional to any other now payable.

Also:

By Messrs. Erdreich, Dill and Falkenburg:

H. 1568. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license is issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

Also:

By Messrs. McMillan, Hughes and McNair:

H. 1658. Relating to counties having a population of 400,000 or more; repealing Act No. 661, H. 978, Regular Session 1951, (Acts 1951, p. 1125) which created a County Barbers Commission for such counties.

Also:

By Messrs. McMillan and Falkenburg:

H. 2109. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20); in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxed as cost a Law Library Tax in the sum of fifty cents (\$.50), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama of 1973, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular

Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson, County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20); in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxed as cost a Law Library Tax in the sum of fifty cents (\$.50), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918. And that there was published in said newspaper in the issues of July 21, 28, August 4, 11, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 13th day of August, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Wallace, Timmons, Boles, Adwell, Erdreich, Doss, Boutwell and Ellis:

H. 2214. To accord relief to C. D. Chiles by providing as follows: That the Pension Board, established by Act No. 929 of the Regular Session of the Legislature of 1951 (Alabama Acts, 1951, page 1579), herein called "The Pension Act," shall reconsider its decision rendered on or about February 9, 1959, denying to Chiles the extraordinary disability benefit provided for by Section 14 of the Pension Act, claimed by him, for service-connected disability, and granting to him the ordinary disability benefit, provided by said Section 14; providing that the Board on such reconsideration shall consider the following evidence: (1) the opinion of the city physician and any other medical testimony available; and (2) any other available evidence which is material to the question of whether Chiles was entitled to the extraordinary disability allowance; to provide that if, after considering such evidence, the Board determines that Chiles was entitled to the extraordinary disability benefit, then the following relief shall be accorded Chiles: commencing with the first calendar month following the date of such determination by the Board, there shall be paid to Chiles from the Pension

Fund established by the Pension Act the extraordinary disability benefit, provided for by Section 14 of the Pension Act, instead of the ordinary disability benefit, provided for by said Section; and there shall be paid retroactively for the period stated below to Chiles such extraordinary disability benefit, instead of the ordinary disability benefit, which retroactive payment shall be for the period between the date whereon payment of such ordinary disability benefit began and the first day of the first calendar month next succeeding the date whereon the Board makes such determination, which retroactive payment shall be accomplished by paying to Chiles for each month during the period next above mentioned an amount equal to the difference between the monthly benefit Chiles actually received as the ordinary disability benefit during said period and the amount which the said Chiles would have received as the extraordinary disability benefit, provided for by Section 14 of the Pension Act had Chiles been receiving the extraordinary benefit during all of said period.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the Regular Session of the Legislature of Alabama of 1973 application will be made for the adoption of a law, hereinafter called "the proposed law", which will provide for the relief of C. D. Chiles in the respects stated below.

As herein used, the term "Act 929" means Act No. 929 of the Regular Session of the Legislature of Alabama of 1951 (Ala. Acts of 1951, p. 1579); "the pension system" means the pension system Act 929 established; "ordinary disability benefit" means the ordinary disability benefit for which Section 14 of Act 929 provides; "extraordinary disability benefit" means the extraordinary disability benefit for which Section 14 of Act 929 provides; and "the fund" means the pension fund for which Act 929 provides.

The proposed law will provide for the relief of C. D. Chiles in the respects below stated.

The Board of Managers of the pension system granted to C. D. Chiles an ordinary disability benefit for which Section 14 of Act 929 provides, with the benefit commencing on February 9, 1959.

In brief, the difference between the two disability benefits, above mentioned, is that the ordinary disability benefit is for a disability not service-connected and the extraordinary disability benefit is for a service-connected disability.

Chiles applied for the extraordinary disability benefit. The undisputed medical testimony presented to the Board of Managers of the pension system clearly established that Chiles' disability arose from his performance of his duties in the fire department.

The proposed law would grant to said Chiles the extraordinary disability benefit, for which Section 14 of Act 929 provides, commencing on February 9, 1959, and the proposed law would make such extraordinary disability benefit effective retroactive to February 9, 1959, and effective also in the future. The proposed law would provide for there to be paid, for and with respect to each monthly benefit paid between February 9, 1959, and the dates whereon payments under the proposed law will commence the difference between the monthly benefit Chiles actually received and the monthly benefit Chiles would have received if during all of said period the extraordinary disability benefit provided for by Section 14 of Act 929 had been payable to Chiles.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of July 14, 21, 28, August 4, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 6th day of August, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Mr. Timmons:

H. 2120. Relating to all counties having populations of 600,000 or more according to the most recent federal decennial census; providing for the conversion of certain time spent in the employment of a county but not as a member of the county's retirement system, into paid membership time in the retirement system for county employees and officers.

Also:

By Messrs. Doss, Boles, Bowers, Boutwell, Hughes, Meeks, McNair, Erdreich, Gafford, Adwell, Dill, Weeks and Wallace:

H. 2142. To submit to the qualified electors of Alabama an amendment to the Constitution of said State providing that the Board of Health of Jefferson County, Alabama shall have the power to supplement the pension or benefit payable from, or out of, a pension system of which the Board of Health officers or employees are members, provided that such supplement is based upon an increase in the cost of living occurring since establishment of the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

Also:

By Mr. Timmons:

H. 2155. To further amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2097, 1568, 1658, 2109, 2214, 2120, 2142, and 2155. To the Committee on Local Legislation No. 2.

H. B. 2150. To the Committee on Local Legislation No. 1.

(The above Bill, H. B. 2142, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McDonald, Bassett, St. John, Wallace, Bank, Warren, Taylor, Wynot, Boles, Doss, Drake, Carter, Lyons, Cross, Chesnut, Porter, Waldrop, Goodwin, Grey (D), Flippo, Williams, Crowe, Narramore, McBride, Wood, Roberts, Hardin, May, Kinsey, Benton, Wise, Jackson, Connell, Crawford, Coshatt, Mims, Barkett, Lang, Reed (T), Edwards, Smith (K), Snell, Adams, Brassell, McCluskey, Casey, Cottingham, O'Daniel, Agee, McCorquodale, Harris, Callahan, Jones (F), Barron, Therrell, Perloff and Downing:

H. 1272. To amend Code of Alabama, 1940, Title 52, Sections 364 and 365, which relate to the Teachers' Retirement System, amending such sections in relation to membership service creditable toward retirement and to provide for a conditional appropriation.

Also:

By Messrs. Lang, Casey, Fite, Pruitt, Williams, McCluskey, Grey (D), Coshatt, Stokes, Agee, Headley and Wise:

H. 1185. To amend Sections 3 and 4 of Act No. 566, S. 117, p. 1046, Volume II, Acts of Alabama, Regular Session of the Legislature 1969, effective 2/1/70, the title of which act is, "To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries," by increasing the minimum and maximum salary allowed for such Supernumerary officials and providing for repayment of the amount of salary paid into the general fund of the county by such Clerks and Registers if their tenure of office is terminated prior to their becoming supernumerary.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1272. To the Committee on Finance and Taxation.

H. B. 1185. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Waggoner and Falkenburg:

H. J. R. 216. DESIGNATING MR. BOB CAIN AND THE CANE-BREAKERS AS THE OFFICIAL BAND OF THE 1973 ALABAMA LEGISLATURE.

WHEREAS the enjoyment of the party recently given by the Jefferson County Legislative Delegation was greatly enhanced by the music of the Cane-Breakers under the skillful and artful direction of Bob Cain, the Head Cane Cutter; and

WHEREAS Bob Cain who was born in Hartselle, graduated from the University of Alabama with a major in political science, is married to Penny Vann, a native of Birmingham, and they are the justifiably proud parents of two adorable children, Lacey aged 3 ½ and Lyle aged 2; and

WHEREAS Bob Cain has been in the same location in Birmingham with his own night club, "The Cane-Break", for 8 ½ years and prior to owning and operating his own "Cane-Break", played at many other locations, including New Orleans and Las Vegas; and

WHEREAS the piano is Bob's "Thing", he also excels on the trumpet and has a wonderful voice which he not only uses in beautiful song, but also to express his wit and humor; and

WHEREAS Mr. Cain is an impresario with God-given talent that has earned for him a world-wide reputation for entertainment; and

WHEREAS Bob Cain represents his community in an exceptional manner both as a musician and as a citizen; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Bob Cain and The Cane-Breakers for their outstanding talents and ability and wish to thank them for providing us with such delightful entertainment.

BE IT FURTHER RESOLVED, That Mr. Bob Cain and The Cane-Breakers be designated the "Official Band of the 1973 Alabama Legislature.

RESOLVED FURTHER, That copies of this resolution be sent to Mr. Bob Cain and The Cane-Breakers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 216, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 213. COMMENDING JOHN RUSSELL PARRISH.

Also:

By Mr. Goodwin:

H. J. R. 214. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

Also:

By Mr. Turnham:

H. J. R. 215. HONORING COMPANY C. FIRST BATTALLION, 20TH SPECIAL FORCES (AIRBORNE) OF THE FIRST SPECIAL FORCES.

Also:

By Messrs. Bassett and Hardin:

H. J. R. 217. COMMENDING THOMAS HAROLD ESPY FOR HIS WORK WITH THE STATE HIGHWAY DEPARTMENT.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 213, 214, 215, and 217, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration;

By Mr. Goodwin:

H. J. R. 183. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 183, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By McCorquodale:

H. J. R. 209. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES

SENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, August 21, 1973.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 209, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 87. COMMENDING MARTIN GRIMES ON HIS EXCELLENT BOOK, "TURNIP GREENS AND SERGEANT STRIPES."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Grainger, King, Hearn and Hale:

H. J. R. 206. WHEREAS, the Honorable Hartwell B. Lutz of Madison County has undertaken the exhaustive and important task of revising all Madison County local legislation passed by previous legislators as general bills of local application and has introduced 97 advertised local bills which appear on the House calendar for the 30th legislative day; now therefore, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

THAT, Representative Lutz is highly commended for his industry, resourcefulness, and responsible service.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 206, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Drake, St. John, McDonald, Doss, Fite, Pruitt, Mathews, Lyons, McCorquodale and Slate:

H. J. R. 179. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF BRYCE C. DAVIS.

WHEREAS the Legislature notes with sincere regret the recent death of an outstanding citizen of Alabama, Bryce C. Davis; and

WHEREAS Bryce C. Davis served his community and the State of Alabama in a distinguished and outstanding manner as chairman of the State ABC Board during the first term of Governor James E. Folsom and as a member of the House of Representatives where he was also chairman of the Ways and Means Committee; and

WHEREAS the members of the Legislature wish to honor the memory of this dedicated public servant; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express our deep regret at the passing of Mr. Davis, and on behalf of the people of Alabama extend deep and sincere sympathy to the members of his family.

BE IT FURTHER RESOLVED That the Clerk of the House shall send a copy of this resolution to Mrs. Davis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 179, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Chesnut and Porter:

H. J. R. 197. MOURNING THE DEATH OF THOMAS W. BRADFORD.

Also:

By Messrs. Smith (P) and McCluskey:

H. J. R. 195. NAMING THE TALLADEGA NATIONAL GUARD ARMORY FOR GENERAL LAURIS D. GRAVES.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 197, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

The Resolution, H. J. R. 195, the title of which is set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 194. COMMENDING E. L. STEWART.

Also:

By Messrs. Doss, Erdreich, Weeks, Dill, Falkenburg, Wallace, Adwell, Boutwell, McNair, Waggoner, McMillan, Ellis, Boles, Bowers, Hughes, Meeks, Jones (E), McBride, Timmons and Gafford:

H. J. R. 192. MOURNING THE DEATH OF MERVYN HAYDEN STERNE.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 194 and 192, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Carter:

H. J. R. 202. GIVING TRIBUTE TO THE LIFE OF JAMES EDWIN HORTON, JR.

Also:

By Mr. Smith (P):

H. J. R. 203. THANKING THOSE RESPONSIBLE FOR THE PORK PRODUCERS' BARBECUE.

Also:

By Mr. Turnham:

H. J. R. 204. MOURNING THE DEATH OF MILLIGAN EARNEST.

Also:

By Mr. Turnham:

H. J. R. 205. COMMENDING DR. BURIS R. BOSHELL.

Also:

By Mr. Kinsey:

H. J. R. 212. WISHING MRS. ALICE J. DUCK "BEST WISHES" DURING HER RETIREMENT YEARS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 202, 203, 204, 205 and 212, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 86. MOURNING THE DEATH OF MERVYN HAYDEN STERNE.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

Also:

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

Also:

H. 1822. Relating to counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

Also:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

Also:

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Also:

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

Also:

H. 1597. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 54,500 and not more than 56,000 according to the last and any subsequent decennial federal census; to provide for a more convenient and efficient method for the issuance of all licenses except marriage licenses; to prescribe the powers, duties, and authority of the commissioner of licenses; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Also:

H. 1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunch-room employees of boards of education of such counties.

Also:

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessors, tax collectors, probate judges and license commissioners of such counties may belong.

Also:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court clerk in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

Also:

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an employee of the State of Alabama prior to such membership.

Also:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Also:

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

Also:

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. 1486. Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1437. To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 1438. Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

Also:

H. 932. Relating to all counties having a population of not less than 50,000 nor more than 52,500, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

Also:

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

Also:

H. 1355. To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Also:

H. 1412. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

Also:

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Also:

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

Also:

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

Also:

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

Also:

H. 1712. Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Also:

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

Also:

H. 1714. To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

Also:

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Also:

H. 1433. To allow the county commission of any county having a population of not less than 10,900 nor more than 11,500, according to the last or any subsequent federal decennial census to set the number and salary of employees in the office of the circuit clerk and register in chancery.

Also:

H. 1427. To provide for purging the lists of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 1428. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

Also:

H. 1429. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

Also:

H. 1439. Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

Also:

H. 1431. Proposing an amendment to the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1860. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

Also:

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Also:

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Also:

H. 773. To authorize county and municipal governments of counties with a population of more than 600,000 to enter into contract providing for the Sheriff to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasury monies sufficient to reimburse the county treasurer for expenditures necessary to provide contract policing.

Also:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

Also:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

Also:

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable

to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys.

Also:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Also:

H. 996. To further amend Title 13, Section 187, Code of Alabama 1940, as amended, which provides for the appointment, compensation and duties of circuit court bailiffs, so as to provide for counties having a population of not less than 175,000 and not more than 300,000, according to the most recent federal decennial census, with three or more circuit judges, to increase the compensation of bailiffs without a law degree and to establish a rate of compensation for bailiffs with law degrees.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, quali-

fications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 187. Paying tribute to Frank Park Samford and designating November 1, 1973 "Frank Park Samford Day".

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on the part of the House Messrs. Ellis, Gafford and Boles.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Vacca, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1592, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham
Bailes	Gilmore	McLain	Pierce
Branyon	Harris	Melton	Shelby
Carr	Hawkins	Noonan	Vacca
Cook	Jones	O'Bannon	Wilder
Dominick	King	Owen	Wilson
Edington	Lindsey		

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Bailes, Gilmore and Hawkins.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the Bill:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decen-

nial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on the part of the House Messrs. Robertson, Culver and Parker.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1300, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Fine	McLain	Pierce	
Baker	Gilmore	Malone	Shelby	
Branyon	Givhan	Melton	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	King			—25

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Shelby, Owen and Littleton.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferee on the part of the House Messrs. Boutwell, Adwell and Doss.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Vacca, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1207, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Bailes, Gilmore and Hawkins.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

and requests a Committee on Conference.

And the Speaker of the House has appointed as Conferees on the part of the House Messrs. Boles, Doss and Ellis.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Vacca, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1852, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	McLain	Shelby	
Baker	Givhan	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Pelham	Wilson	
Edington	Lindsey			—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Bailes, Gilmore and Hawkins.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill 400, without the Governor's signature and with a suggested Executive Amendment.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 21 DAY OF AUGUST, 1973.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill No. 400, without my approval and with the following suggested Executive Amendment:

Amend Section 3 of the Substitute to Senate Bill 400 by adding at the end thereof the following: "provided further that any such resolution adopted by any county governing body shall not apply within the police jurisdiction of any incorporated municipality within such county."

Also amend Section 5 of the Substitute to Senate Bill 400 to read as follows: "Section 5. This act shall become effective ninety (90) days following its passage and approval by the Governor, or upon its otherwise becoming a law."

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Harris, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 400. Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Harris
Bailes	Clark	Fine	Horne
Branyon	Dominick	Gilmore	Jones

King	Melton	Pierce	Vacca	
Lindsey	Noonan	Register	Wilder	
Lybrand	Owen	Shelby	Wilson	
McLain	Pelham			—25

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 400, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Gilmore	Melton	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

which was a majority of the whole number elected to the Senate.

MOTION ADOPTED

On motion of Mr. Foshee, the Senate agreed that all uncontested local Senate Bills be passed by unanimous consent.

BILLS ON THIRD READING

The Bill:

H. 2075. To provide for the payment of expense allowances to members of the Board of Registrars, Jury Commission, and Board of Equalization of any county having a population of not less than 50,000 nor more than 52,500 according to the last federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Givhan	Malone	Register	
Carr	Harris	Melton	Vacca	
Clark	Horne	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 2072. Applicable to any county having a population of not less than 55,500 nor more than 56,500 according to the last federal decennial census; to provide an additional compensation for the members of the board of registrars of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Baker	Givhan	Melton	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Horne	O'Bannon	Weaver	
Cook	Jones	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 2050. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Register	
Baker	Gilmore	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1454. To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent Federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Baker	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Vacca	
Clark	Horne	O'Bannon	Weaver	
Dominick	King	Owen	Wilson	
Dozier	Littleton			—25

Nays: —0

The Bill:

S. 938. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing

in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and members thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1893. Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1894. Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Register	
Branyon	Gilmore	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2022. Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 2040. To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Branyon	Foshee	Lybrand	Pierce	
Carr	Givhan	McLain	Register	
Clark	Hawkins	Malone	Vacca	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1920. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Fine	Horne
Bailes	Cook	Foshee	Jones
Baker	Dozier	Givhan	Lindsey
Carr	Edington	Hawkins	Lybrand

McLain	O'Bannon	Shelby	Wilder	
Melton	Pelham	Weaver	Wilson	
Noonan	Register			—25

Nays: —0

The Bill:

H. 1874. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Baker	Foshee	McLain	Shelby	
Carr	Givhan	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 442. To further amend Section 2 of Act No. 287, H. 193, First Special Session 1965 (Acts 1965, p. 395), which section relates to the compensation of members of the board of commissioners in cities having populations of not less than 175,000 nor more than 275,000 inhabitants, according to the last federal decennial census, so as to increase the compensation of said members.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 111. Relating to counties having a population in excess of 600,000 inhabitants; providing that retail and wholesale automotive parts businesses, antique dealers, flea markets, gift shops, and shops operated at public parks, public airports, public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 111, to-wit:

COMMITTEE AMENDMENT TO H. 111

Amend H. 111 as amended by deleting from the title the words, "retail and wholesale", and inserting immediately before the words "public parks" the word, "hospitals".

Further amend said H. 111 as amended by deleting in Section 1 thereof the words, "retail or wholesale" and further by inserting immediately before the words "public parks" the word "hospitals".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Givhan	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

And said Bill, H. B. 111, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 933. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Clark	Horne	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 940. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Edgington	Littleton	Pierce
Baker	Foshee	Lybrand	Shelby
Branyon	Gilmore	Malone	Weaver
Carr	Givhan	Melton	Wilder
Cook	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

S. 943. Relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham
Bailes	Gilmore	McLain	Pierce
Baker	Givhan	Melton	Shelby
Carr	Hawkins	Noonan	Vacca
Cook	Horne	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Edgington	Lindsey		

—25

Nays:

—0

The Bill:

H. 960. Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for

the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provisions of the act; to provide for the refinancing or retirement of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register
Bailes	Gilmore	McLain	Shelby
Baker	Harris	Melton	Vacca
Carr	Hawkins	Noonan	Weaver
Cook	Jones	Owen	Wilder
Dominick	King	Pierce	Wilson
Edington	Lindsey		

—25

Nays:

—0

The Bill:

H. 1196. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Lybrand	Pierce
Baker	Gilmore	McLain	Shelby
Branyon	Givhan	Melton	Weaver
Clark	Hawkins	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2044. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Edington	Givhan
Bailes	Cook	Foshee	Hawkins
Baker	Dominick	Gilmore	Horne

Jones	McLain	Pelham	Vacca	
King	Melton	Register	Wilder	
Lindsey	Noonan	Shelby	Wilson	
Lybrand	Owen			—25

Nays: —0

The Bill:

H. 2065. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Bailes	Gilmore	McLain	Register	
Baker	Givhan	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 1876. To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: To provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Givhan	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2064. To permit the Court of County Commissioners, or any similar or successor governing body of Dallas County to supplement,

from County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Baker	Foshee	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2046. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize such county to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2047. Amending Section 3 of Act No. 729, H. 598, Regular Session 1953 (Acts 1953, p. 985) which provides airport zoning regulations, so as to exclude counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	McLain	
Bailes	Dozier	Horne	Melton	
Branyon	Fine	Jones	Noonan	
Carr	Foshee	Lindsey	O'Bannon	
Clark	Givhan	Lybrand	Owen	

Register	Vacca	Wilder	Wilson	
Shelby	Weaver			—25
<i>Nays:</i>				—0

The Bill:

H. 2060. To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Vacca	
Clark	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	—25
Edington	Lindsey			—0

Nays:

The Bill:

H. 1526. Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1526, to-wit:

AMENDMENT TO H. B. 1526

Amend H. B. 1526 by changing the words and figures "\$24,000.00" wherever they may appear therein to the words and figures "\$21,960.00."

On motion of Mr. Noonan, said amendment was laid on the table.

Mr. Noonan then offered the following amendment to the Bill, H. B. 1526, to-wit:

AMENDMENT TO H. B. 1526

Amend H. B. 1526 by changing the words and figures "\$18,300.00" wherever they may appear therein to the words and figures "\$21,960.00."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Cook	Edington
Bailes	Carr	Dominick	Foshee

Gilmore	Lindsey	Noonan	Shelby	
Givhan	Littleton	Owen	Vacca	
Harris	Lybrand	Pelham	Wilder	
Horne	McLain	Register	Wilson	
Jones	Malone			—25

Nays: —0

And said Bill, H. B. 1526, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register	
Bailes	Foshee	McLain	Shelby	
Baker	Givhan	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Cook	Jones	Pelham	Wilson	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 2030, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 2030

A BILL TO BE ENTITLED AN ACT

Relating to Hale County; providing for the election and tenure of the members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Hale County shall consist of five members who shall be elected by the qualified electors of the entire county at large. Members of the board from Places 2 and 5 respectively, shall be elected at the general election to be held in 1974 and every six years thereafter. Members of the board from Places 1 and 3, respectively, shall be elected at the general election to be held in 1976 and every six years thereafter. The member from Place 4 shall be elected at the general election to be held in 1978 and every six years thereafter. All members holding office when this act becomes effective shall continue in office until their respective terms expire and until their successors are elected and have qualified.

Section 2. The Hale County Board of Education, as herein constituted, shall be vested with the same authority, powers and duties as is provided for county boards of education under the general law.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of

the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

And said Bill, H. B. 2030, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1955. To repeal Act No. 232, H. 253, Third Special Session 1971, (Acts 1971, p. 4501), entitled, "An Act Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1956. Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1957. To repeal Act No. 2314, S. 1086, Regular Session 1971, (Acts 1971, p. 3737), entitled, "An Act To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1958. Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1959. To repeal Act No. 896, H. 1594, Regular Session 1971, (Acts 1971, p. 1660), entitled, "An Act Authorizing any municipality having a

population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1960. To repeal Act No. 1306, H. 2094, Regular Session 1971, (Acts 1971, p. 2251), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent federal decennial census, to create a Planning Commission having certain powers, duties and regulations."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Baker	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1961. Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1962. To repeal Act No. 1331, H. B. 2119, Regular Session 1971, (Acts 1971, p. 2280), entitled "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce
Bailes	Foshee	Littleton	Register
Branyon	Gilmore	McLain	Shelby
Carr	Harris	Melton	Vacca
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1963. To repeal Act No. 1477, S. B. 1013, Regular Session 1971, (Acts 1971, p. 2534), entitled, "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Foshee	Lindsey	Pelham
Baker	Gilmore	Littleton	Vacca
Carr	Givhan	McLain	Weaver
Clark	Harris	Melton	Wilder
Cook	Hawkins	Noonan	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1964. Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dozier	Givhan
Bailes	Clark	Foshee	Harris
Branyon	Dominick	Gilmore	Hawkins

Jones	McLain	Owen	Vacca	
King	Melton	Pierce	Wilder	
Lindsey	Noonan	Shelby	Wilson	
Littleton	O'Bannon			—25

Nays: —0

The Bill:

H. 1965. To repeal Act No. 126, H. B. 393, Regular Session 1971, (Acts 1971, p. 404) entitled, "An Act To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	McLain	Register	
Carr	Givhan	Melton	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1966. Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1967. To repeal Act No. 1450, S. B. 971, Regular Session 1971, (Acts 1971, p. 2478), entitled "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Gilmore	Horne	
Bailes	Dominick	Givhan	Jones	
Branyon	Dozier	Harris	King	
Carr	Foshee	Hawkins	Lindsey	

Littleton	Noonan	Shelby	Wilder	
McLain	Owen	Weaver	Wilson	
Melton	Pierce			—25

Nays: —0

The Bill:

H. 1968. Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Baker	Givhan	McLain	Vacca	
Carr	Harris	Melton	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1969. To repeal Act No. 1392, H. 2307, Regular Session 1971, (Acts 1971, p. 2349), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1970. To repeal Act No. 1488, S. 1083, Regular Session 1971, (Acts 1971, p. 2553), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a per-

sonnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Foshee	Lindsey	Pierce
Baker	Gilmore	Littleton	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1971. To repeal Act No. 202, S. 133, Third Special Session 1971, (Acts 1971, p. 4468), entitled, "An Act To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Foshee	Lindsey	Pelham
Baker	Gilmore	Littleton	Pierce
Carr	Givhan	McLain	Shelby
Clark	Harris	Melton	Weaver
Cook	Horne	Noonan	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1972. Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	McLain	Vacca
Carr	Givhan	Melton	Weaver
Clark	Harris	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1973. To repeal Act No. 1391, H. 2306, Regular Session 1971 (Acts 1971, p. 2571), entitled "An Act Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce
Bailes	Gilmore	Littleton	Register
Branyon	Givhan	McLain	Shelby
Carr	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1974. To repeal Act No. 1329, H. 2117, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000 according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Gilmore	Littleton	Register
Branyon	Givhan	McLain	Shelby
Carr	Harris	Melton	Vacca
Clark	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1975. To repeal Act No. 1478, S. 1015, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Horne	Noonan	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1976. Relating to Madison County; providing further for the compensation of election officials.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1977. To repeal Act No. 895, H. B. 1593, Regular Session 1971, (Acts 1971, p. 1659), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any such municipalities."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Foshee	Horne
Bailes	Cook	Gilmore	Jones
Baker	Dozier	Givhan	Lindsey
Carr	Edington	Hawkins	Littleton

McLain	O'Bannon	Vacca	Wilder	
Melton	Pierce	Weaver	Wilson	
Noonan	Register			—25

Nays: —0

The Bill:

H. 1954. Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1953. To repeal Act No. 1509, S. 1025, Regular Session 1971, (Acts 1971, p. 2594), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1952. To repeal Act No. 1328, H. 2116, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dominick	Gilmore
Bailes	Clark	Dozier	Givhan
Baker	Cook	Foshee	Harris

Hawkins	Littleton	O'Bannon	Shelby	
Jones	McLain	Pierce	Weaver	
King	Melton	Register	Wilder	
Lindsey	Noonan			—25
Nays:				—0

The Bill:

H. 1951. To repeal Act No. 1330, H. 2118, Regular Session 1971, (Acts 1971, p. 2279), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1950. Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	McLain	Register	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1949. To repeal Act No. 323, H. 416, Third Special Session 1971, (Acts 1971, p. 4612), entitled, "An Act Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1948. Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1947. To repeal Act No. 234, H. 255, Third Special Session 1971 (Acts 1971, p. 4504), entitled, "An Act To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pelham	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1946. To repeal Act No. 884, H. B. 1241, Regular Session 1969, (Acts 1969, v. 2, p. 1590), entitled, "An Act Relating to counties having populations of not less than 110,000 nor more than 160,000 according to

the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1945. To repeal Act No. 1481, S. 1024, Regular Session 1971, (Acts 1971, p. 2537), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1944. To repeal Act No. 1325, H. 2110, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1943. Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Baker	Givhan	Melton	Shelby	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Jones	Pelham	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 1942. To repeal Act No. 1321, H. 2105, Regular Session 1971, (Acts 1971, p. 2272), entitled, "An Act Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Baker	Givhan	McLain	Shelby	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	Noonan	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1941. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1926. To repeal Act No. 2190, H. B. 2769, Regular Session 1971, (Acts 1971, P. 3504), entitled "An Act relating to all counties having a population of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1927. Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Baker	Gilmore	McLain	Vacca	
Carr	Harris	Melton	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1928. To repeal Act No. 2282, S. 1220, Regular Session 1971, (Acts 1971, p. 3683), entitled "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Foshee	Horne
Bailes	Cook	Gilmore	Jones
Branyon	Dozier	Lindsey	
Carr	Edington	Harris	Littleton

McLain	O'Bannon	Register	Wilder	
Melton	Pelham	Shelby	Wilson	
Noonan	Pierce			—25
Nays:				—0

The Bill:

H. 1929. To repeal Act No. 2189, H. 2768, Regular Session 1971, (Acts 1971, p. 3503), entitled, "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Horne	Noonan	Wilder	
Cook	Jones	O'Bannon	Wilson	
Dozier	King			—25
Nays:				—0

The Bill:

H. 1930. Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	McLain	Register	
Carr	Harris	Melton	Shelby	
Clark	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Weaver	
Dozier	King			—25
Nays:				—0

The Bill:

H. 1931. To repeal Act No. 1199, H. 2111, Regular Session 1971, (Acts 1971, p. 2078), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Littleton	Register
Baker	Gilmore	McLain	Shelby
Branyon	Givhan	Melton	Weaver
Clark	Hawkins	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1932. Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Pierce
Baker	Gilmore	Littleton	Shelby
Carr	Givhan	McLain	Vacca
Clark	Harris	Melton	Wilder
Cook	Horne	Noonan	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1933. To repeal Act No. 1479, S. 1019, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles in such counties and cities."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Foshee	Lindsey	Pierce
Baker	Gilmore	Littleton	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1934. To repeal Act No. 1333, H. 2121, Regular Session 1971, (Acts 1971, p. 2282), entitled, "An Act Relating to counties having popu-

lations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1935. Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Weaver	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1936. To repeal Act No. 1327, H. B. 2115, Regular Session 1971, (Acts 1971, p. 2277), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Foshee	Horne
Bailes	Cook	Gilmore	Jones
Baker	Dozier	Givhan	Lindsey
Carr	Edington	Harris	Littleton

McLain	O'Bannon	Shelby	Wilder	
Melton	Pelham	Vacca	Wilson	
Noonan	Pierce			—25

Nays: —0

The Bill:

H. 1937. To repeal Act No. 1884, S. B. 1021, Regular Session 1971, (Act 1971, p. 3068), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks, which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Was read a third time at length and passed.

Yeas 25, Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1938. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1939. To repeal Act No. 1389, H. 2304, Regular Session 1971, (Acts 1971, p. 2340), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial cir-

cuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Was read a third time at length and passed.

Yeas 25, Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Pierce
Baker	Gilmore	Littleton	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilson
Dominick	Jones		

—25

Nays:

—0

The Bill:

H. 1940. To repeal Act No. 1492, S. 1088, Regular Session 1971, (Acts 1971, p. 2570), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Littleton	Register
Baker	Gilmore	McLain	Shelby
Carr	Givhan	Melton	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2021. Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	McLain	Vacca
Clark	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2003. To repeal Act No. 2225, H. 2689, Regular Session 1971 (Acts 1971, p. 3579), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Foshee	Lindsey	Pierce
Baker	Gilmore	Littleton	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Melton	Weaver
Cook	Hawkins	Noonan	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 2004. Relating to Madison County; regulating the costs and fees in the county courts.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce
Bailes	Gilmore	McLain	Register
Branyon	Givhan	Melton	Vacca
Carr	Harris	Noonan	Weaver
Clark	Horne	Owen	Wilder
Dominick	Jones	Pelham	Wilson
Dozier	Lindsey		

—25

Nays:

—0

The Bill:

H. 2005. To repeal Act No. 1390, H. B. 2305, Regular Session 1971 (Acts 1971, p. 2559), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas.

Messrs.:	Edington	King	Owen
Bailes	Foshee	Lindsey	Pierce
Baker	Gilmore	Littleton	Register
Carr	Givhan	McLain	Vacca
Clark	Harris	Melton	Wilder
Cook	Horne	Noonan	Wilson
Dominick	Jones		

—25

Nays:

—0

The Bill:

H. 2006. To repeal Act No. 1489, S. B. 1084, Regular Session 1971 (Acts 1971, p. 2341), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2007. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Wilder	
Cook	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2008. To repeal Act No. 1332, H. B. 2120, Regular Session 1971 (Acts 1971, p. 2281), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Givhan	Littleton
Bailes	Dozier	Hawkins	McLain
Baker	Edington	Horne	Melton
Carr	Fine	King	Noonan
Clark	Gilmore	Lindsey	O'Bannon

Pelham	Shelby	Wilder	Wilson	
Pierce	Vacca			—25
<i>Nays:</i>				—0

The Bill:

H. 2009. To repeal Act No. 1475, S. B. 1011, Regular Session 1971 (Acts 1971, p. 2516), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Baker	Givhan	McLain	Vacca	
Carr	Harris	Melton	Weaver	
Clark	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 2010. Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2011. To repeal Act No. 1877, H. 2112, Regular Session 1971 (Acts 1971, p. 3056), entitled, "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	McLain	Register	
Baker	Givhan	Melton	Shelby	
Carr	Harris	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 2012. To repeal Act No. 1902, S. 1020, Regular Session 1971, (Acts 1971, p. 3093), entitled "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 2013. To repeal Act No. 1310, H. 2124, Regular Session 1971, (Acts 1971, p. 2258), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Harris	O'Bannon	Vacca	
Cook	Horne	Owen	Weaver	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2014. To repeal Act No. 2490, S. 1016, Regular Session 1971 (Acts 1971, p. 3896), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham	
Bailes	Fine	Lindsey	Pierce	
Baker	Foshee	McLain	Shelby	
Carr	Givhan	Noonan	Vacca	
Clark	Harris	O'Bannon	Weaver	
Cook	Hawkins	Owen	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2015. Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 2016. To repeal Act No. 1701, H. B. 2498, Regular Session 1971 (Acts 1971, p. 2859), entitled "An Act To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Baker	Gilmore	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2017. Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Lindsey	Register	
Branyon	Givhan	Littleton	Shelby	
Carr	Harris	McLain	Vacca	
Clark	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2018. To repeal Act No. 680, H. B. 954, Regular Session 1967, (Acts 1967, v. II, p. 1507), entitled, "An Act To fix the compensation of the judge of the county court in any county having a population of not less than 170,000 nor more than 300,000 according to the last or any succeeding federal census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Melton	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 2019. Relating to Madison County; fixing the compensation of the judge of the county court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Owen	
Baker	Gilmore	Lindsey	Pierce	
Carr	Givhan	Littleton	Shelby	
Clark	Harris	McLain	Weaver	
Cook	Hawkins	Melton	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 2020. To repeal Act No. 24, H. 160, First Special Session 1964, (Acts 1964, p. 45), entitled, "An Act To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

Was read a third time at length and passed.

Yeas 25, Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 2001. To repeal Act No. 1491, S. 1087, Regular Session 1971, (Acts 1971, p. 2569), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 2002. To repeal Act No. 1912, S. 1091, Regular Session 1971 (Acts 1971, p. 3102), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Horne	Noonan	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2000. To repeal Act No. 1387, H. 2302, Regular Session 1971 (Acts 1971, p. 2330), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1999. Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1998. To repeal Act No. 233, H. B. 254, Third Special Session 1971, (Acts 1971, p. 4503), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and pro-

viding for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1997. Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Vacca	
Clark	Harris	Melton	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1996. To repeal Act No. 2192, H. B. 2771, Regular Session 1971, (Acts 1971, p. 3507), entitled, "An Act To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Clark	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1995. To repeal Act No. 145, H. 131, First Special Session 1971 (Acts 1971, p. 231), entitled, "An Act To provide for the election of a seven member City Board of Education for any city having a population of not less than 135,000 nor more than 180,000 according to the most recent federal decennial census; and to provide for the terms of its members."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Melton	Vacca	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1994. Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pierce	
Baker	Gilmore	Littleton	Shelby	
Carr	Givhan	McLain	Weaver	
Clark	Harris	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1993. To repeal Act No. 2283, S. B. 1221, Regular Session 1971, (Acts 1971, p. 3684), entitled "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Gilmore	Jones
Bailes	Dominick	Givhan	King
Branyon	Dozier	Harris	Lindsey
Carr	Fine	Hawkins	Littleton

McLain
Melton
O'Bannon

Owen
Pelham
Shelby

Vacca
Weaver

Wilder
Wilson

—25

Nays:

—0

The Bill:

H. 1992. To repeal Act No. 2188, H. B. 2767, Regular Session 1971, (Acts 1971, p. 3502), entitled, "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Bailes
Branyon
Carr
Clark
Dominick
Dozier

Edington
Gilmore
Givhan
Harris
Hawkins
Jones
King

Lindsey
McLain
Melton
O'Bannon
Owen
Pelham

Pierce
Register
Vacca
Weaver
Wilder
Wilson

—25

Nays:

—0

The Bill:

H. 1991. Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:
Bailes
Baker
Carr
Clark
Cook
Dozier

Edington
Foshee
Gilmore
Givhan
Harris
Hawkins
Jones

Lindsey
Littleton
McLain
Melton
O'Bannon
Pelham

Pierce
Register
Vacca
Weaver
Wilder
Wilson

—25

Nays:

—0

The Bill:

H. 1990. To repeal Act No. 1474, S. 1010, Regular Session 1971 (Acts 1971, p. 2514), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institu-

tions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Gilmore	McLain	Register	
Carr	Givhan	Melton	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1989. To repeal Act No. 1334, H. 2123, Regular Session 1971 (Acts 1971, p. 2283), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Bailes	Gilmore	McLain	Register	
Baker	Givhan	Melton	Shelby	
Carr	Harris	O'Bannon	Vacca	
Clark	Hawkins	Owen	Wilder	
Cook	Horne	Pelham	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1988. Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Givhan	Lindsey
Bailes	Dozier	Hawkins	Littleton
Branyon	Edington	Horne	McLain
Carr	Foshee	Jones	Melton
Clark	Gilmore	King	O'Bannon

Pelham	Shelby	Wilder	Wilson	
Register	Vacca			—25
<i>Nays:</i>				—0

The Bill:

H. 1987. To repeal Act No. 1448, S. B. 970, Regular Session 1971, (Acts 1971, p. 2471) entitled, "An Act To provide the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pierce	
Baker	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Vacca	
Clark	Harris	Melton	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1986. To repeal Act No. 1883, S. 1014, Regular Session 1971, (Acts 1971, p. 3064), entitled, "An Act To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1985. Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Register	
Baker	Foshee	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1984. To repeal Act No. 43, H. 72, Second Special Session 1971, (Acts 1971, p. 4180), entitled, "An Act To provide that the city board of education in all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Register	
Bailes	Foshee	McLain	Shelby	
Baker	Gilmore	Melton	Vacca	
Carr	Givhan	O'Bannon	Weaver	
Clark	Horne	Pelham	Wilder	
Cook	Hawkins	Pierce	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

H. 1983. To repeal Act No. 897, H. B. 1595, Regular Session 1971 (Acts 1971, p. 1661), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Harris	McLain
Bailes	Edington	Horne	Melton
Baker	Fine	Jones	Noonan
Carr	Gilmore	Lindsey	O'Bannon
Clark	Givhan	Littleton	Owen

Pelham	Shelby	Wilder	Wilson	
Pierce	Vacca			—25

Nays:				—0
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The Bill:

H. 1982. Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Dozier	King			—25

Nays:				—0
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The Bill:

H. 1981. To repeal Act No. 1901, S. B. 1018, Regular Session 1971 (Acts 1971, p. 3091), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Shelby	
Baker	Gilmore	McLain	Vacca	
Carr	Givhan	Melton	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:				—0
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The Bill:

H. 1980. To repeal Act No. 1326, H. 2114, Regular Session 1971, (Act 1971, p. 2275), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Baker	Givhan	McLain	Shelby	
Carr	Harris	Melton	Weaver	
Clark	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1979. To repeal Act No. 238, H. B. 581, Regular Session 1961, (Acts 1961, V. 1, p. 268), entitled, "An Act To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Gilmore	Lindsey	Shelby	
Baker	Givhan	Littleton	Vacca	
Carr	Harris	McLain	Weaver	
Clark	Hawkins	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1978. To repeal Act No. 1305, H. B. 2093, Regular Session 1971, (Acts 1971, p. 2350), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Baker	Foshee	McLain	Register	
Carr	Gilmore	Melton	Weaver	
Clark	Givhan	Noonan	Wilder	
Cook	Harris	Owen	Wilson	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 2028. To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Shelby	
Baker	Gilmore	Lybrand	Vacca	
Branyon	Givhan	Malone	Weaver	
Carr	Harris	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 936. To amend Title 13, Section 125 (75d), Code of Alabama, as amended relating to the payment of supplemental salaries by Montgomery County to deputy district attorneys in the fifteenth judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Wilder	
Cook	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Hawkins	Noonan	Vacca	
Clark	Horne	Owen	Weaver	
Cook	Jones	Pelham	Wilson	
Dozier	Littleton			—25

Nays:

—0

The Bill:

H. 1740. Relating to all counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census; providing for supernumerary sheriffs in said county; and fixing the qualifications, compensation, status and tenure of office for said officials.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Baker	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Melton	Wilder	
Cook	Hawkins	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2025. To amend Section 2 of Act # 535, S. 528, regular session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Givhan	McLain	Pierce	
Carr	Harris	Malone	Shelby	
Cook	Horne	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Dozier	King			—25

Nays:

—0

The Bill:

H. 2057. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, to prohibit the discharge of litter, specifically bottles and cans, sewage and any other trash or debris into the waters of such counties; to provide for enforcement and penalties for violations of the provisions of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Clark	Gilmore	Jones
Bailes	Cook	Givhan	Lindsey
Branyon	Dozier	Harris	Littleton
Carr	Foshee	Horne	Lybrand

McLain	Noonan	Shelby	Wilder	
Malone	Owen	Vacca	Wilson	
Melton	Pierce			—25
Nays:				—0

The Bill:

H. 2066. To make it a misdemeanor to pick wild sea oats on the beaches of counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Baker	Givhan	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dominick	King	Pierce	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 897. To provide for a stenographic secretary for the District Attorney of the Thirty-First Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Register	
Baker	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Weaver	
Clark	Harris	Melton	Wilder	
Cook	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 635. To amend Title 13, Section 199(2), Code of Alabama, 1940, (Recompiled 1958), as last amended, fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 635, to-wit:

COMMITTEE AMENDMENT TO H. B. 635

Amend Section 1 of H. B. 635 by deleting the words and figures "Twenty Two Thousand Five Hundred Dollars (\$22,500.00)" and insert in lieu thereof "Nineteen Thousand Two Hundred and Eighty-five Dollars (\$19,285.00)".

Further amend H. B. 635 by adding a Section 3 to read as follows:

"Section 3. This act shall not become effective until the end of the present term and in no event prior to 1977."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

And said Bill, H. B. 635, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Givhan	Melton	Vacca	
Carr	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	King	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 639. To fix the compensation of the deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 639, to-wit:

COMMITTEE AMENDMENT TO H. B. 639

Amend H. B. 639 by deleting Section IV and substituting therefor the following Section:

"Section IV: This act shall not become effective until the end of the present term and in no event prior to 1977".

Further amend H. B. 639 in Section II by deleting the figure "\$15,840.00" and substituting in lieu thereof the figure "\$17,556.00".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Branyon	Cook	Edington
Bailes	Carr	Dominick	Gilmore

Givhan	Littleton	Pelham	Vacca
Harris	Lybrand	Pierce	Weaver
Hawkins	Malone	Register	Wilder
Jones	Melton	Shelby	Wilson
King	O'Bannon		

—25

Nays:

—0

And said Bill, H. B. 639, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	McLain	Register
Bailes	Gilmore	Malone	Shelby
Branyon	Givhan	Melton	Vacca
Carr	Hawkins	Noonan	Weaver
Cook	Horne	Pelham	Wilder
Dominick	King	Pierce	Wilson
Edington	Lybrand		

—25

Nays:

—0

The Bill:

H. 1048. Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, H. B. 1048, to-wit:

SUBSTITUTE FOR H. B. 1048

A BILL TO BE ENTITLED AN ACT

Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of accounting information by all local units of government in such counties; to establish what such information should include; to set a date for the commencement of such reporting system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in all counties having a population of 600,000, or more, according to the last or any subsequent federal decennial census, it is in the interest of the general welfare due to the complexity of governmental organization and

population concentration served by governmental units therein to provide uniform reporting accessible to the citizens thereof of the accounts for all county and municipal governmental units in said counties; that the compilation and systematic publication of the accounting of all governmental units in said counties will aid efficiency of governmental operations and will provide access of the citizens thereof to the revenues and expenditures pertaining to their government; that such a system of accounting reporting will safeguard the public interest; and that the enactment of the provisions of this Act is hereby declared to be a public necessity.

Section 2. In all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census, each local unit of government shall cause to be published commencing with the beginning of fiscal year 1974-1975, annual reports containing such accounting information as shall be required herein. Local units of government shall include county and municipal governments, school districts, and all authorities, agencies and boards which function independently of general governments within said counties.

Section 3. Such reports shall itemize revenue by sources, including but not be limited to, the following categories: (1) intergovernmental transfers (federal, state, county, inter-local), (2) revenue from own sources (local tax revenues, non-tax revenues), (3) utility revenues, (4) insurance and trust fund revenues; and expenditures by programs, including but not be limited to, the following categories: (a) governmental administration, (b) police protection, (c) fire protection, (d) education, (e) health and welfare, (f) sanitation, (g) streets, bridges and roads, (h) transportation, (i) debt service (j) parks and recreation, (k) libraries, and (l) courts.

Section 4. The reports to be prepared and filed by this Act shall conform to the following:

REVENUES by SOURCES
(Name of City)

**INTERGOVERNMENTAL
TRANSFERS**

1971-72 1972-73 1973-74

United States Government
Revenue Sharing
Federal Grants
Other

State of Alabama
State Shared Gasoline Tax
State Liquor Store Profits
Financial Institutions Excise Tax
Automobile License
Other

County

Ad valorem Taxes
Licenses
General Sales Tax
Selective Sales Taxes
Gasoline
Beer
Tobacco
Other
Commissions, Fees & Permits
Other

REVENUE FROM OWN SOURCES

Local Tax Revenue

Licenses

General Sales Tax

Selective Sales Tax

Gasoline

Beer

Tobacco

Other

Non-tax Revenues

Fines and forfeitures

Utilities Revenue

Charges for Service

Interest

Other

UTILITY REVENUES

INSURANCE & TRUST

FUND REVENUES

OTHER

TOTAL REVENUE

REVENUES BY SOURCES

(Name of County)

INTERGOVERNMENTAL
TRANSFERS

1971-1972

1972-1973

1973-1974

United States Government

Revenue sharing

Federal grants

Other

State of Alabama

State shared gasoline tax

State liquor store profits

Financial institutions excise tax

Automobile license

Other

Municipalities

Local taxes

ad valorem tax

general sales tax

selective sales tax

gasoline

beer

tobacco

other

licenses, fees and permits

other

REVENUE FROM OWN SOURCES

Local Tax Revenues

Ad valorem taxes

Licenses

Selective sales taxes
 gasoline
 beer
 tobacco
 other

Commissions, fees and permits
 Sewer service charges
 Courts
 criminal
 civil
 probate
 County home
 Interest
 Other

Less payments to State of Alabama

Non-tax Revenues
 Fines and forfeitures
 Utilities revenue
 Charges for services
 Interest
 Other

UTILITY REVENUES

INSURANCE AND TRUST
 FUND REVENUES

OTHER

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
\$ _____	\$ _____	\$ _____
Total Revenue \$ _____	\$ _____	\$ _____

EXPENDITURES BY PROGRAMS
 (Name of City or County)

1971-1972 1972-1973 1973-1974

GOVERNMENTAL ADMINISTRATION

salaries
 employee costs (pension, social security, insurance, longevity, etc.)
 fees (consultants, attorneys, etc.)
 operating expense (utilities, supplies mileage, auto maintenance, etc.)
 capital outlay
 unexpended funds
 other

POLICE PROTECTION

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 other

FIRE PROTECTION

salaries
 employee costs

fees
 operating expense
 capital outlay
 unexpended funds
 other

EDUCATION

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 payment to school board
 other

HEALTH AND WELFARE

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 payment to County Health Department
 other

SANITATION

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 other

EXPENDITURES BY PROGRAMS
 (Name of City or County)

1971-1972 1972-1973 1973-1974

STREETS, BRIDGES AND ROADS

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 other

TRANSPORTATION

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 payment to transit authority
 other

DEBT SERVICE

Principal
 Interest and debt expense
 other

PARKS AND RECREATION

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 other

LIBRARIES

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 other

COURTS

salaries
 employee costs
 fees
 operating expense
 capital outlay
 unexpended funds
 other

OTHER

_____	_____	_____
_____	_____	_____
\$ _____	\$ _____	\$ _____
\$ _____	\$ _____	\$ _____
_____	_____	_____

TOTAL REVENUE

Section 5. The Judge of Probate of said county, after the initiation of the system of accounting reporting to be established under the provisions of this Act, shall gather and publish, no less than annually, comparable data from the local units of government of the county. Said publication shall contain a summarization comparing said data by figures or chart and shall be made available to the elected officials of said county and all citizens thereof.

Section 6. Any auditors, accountants, or examiners required by law to examine the accounts, books or records of any local unit of government within said county, shall include in any report required to be made by such auditor, accountant, or examiner a statement of the degree of compliance by such governmental unit with the system of accounting reporting to be established under the provisions of this Act, and shall send a copy of such report in its entirety to the Judge of Probate of said County.

Section 7. Where there is evidence of lack of compliance with the provisions of the accounting reporting system to be established under the provisions of this Act, the Judge of Probate of said county may order compliance with the provisions of this Act, which shall include, but not be limited to, the aid of court to compel the attendance of witnesses and production of papers relating to the audit, accounts, books, or records of the governmental unit which has failed to comply with the provisions of this Act. The District Attorney or Circuit Solicitor shall render to the said Court, without additional compensation, such

legal services as he may request in order to enforce the provisions of this Act.

Section 8. Any resident citizen of a local unit of government in which a violation of this Act occurs may file a written sworn petition, stating the ground upon which failure to comply with this Act is based, requesting the Judge of Probate of said county to obtain compliance with this Act. Should the Judge of Probate fail to obtain compliance within thirty days after receipt of said petition, or to bring suit therefor, the resident citizen may institute an action against said local unit of government in the Circuit Court of said county to obtain compliance with this Act.

Section 9. Failure to comply with the provisions of this Act by any officer or employee of any local unit of government covered by this Act shall constitute a misdemeanor.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

The Standing Committee on Local Legislation No. 2 then reported the following amendment to the substitute for the Bill, H. B. 1048, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE FOR H. B. 1048

Amend the substitute to H. B. 1048 by substituting the words "county treasurer" for the words "Judge of Probate" wherever it appears therein.

Which was adopted.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the substitute as amended, for the Bill, H. B. 1048, to-wit:

COMMITTEE AMENDMENT TO SUBSTITUTE, AS AMENDED FOR H. B. 1048

Amend Section 10 of the substitute, as amended, for H. B. 1048 by changing Line 3 to read as follows:

"provisions of this Act, the County Treasurer of the County may petition the circuit court for an order to obtain"

Which was adopted.

Mr. Dominick then offered the following amendment to the substitute, as amended, for the Bill, H. B. 1048, to-wit:

Amendment to substitute, as amended, for H. B. 1048

Amend H. B. 1048 as substituted and amended by adding the following synopsis at the top of said bill:

SYNOPSIS: This bill requires the various government units in Jefferson County to report certain accounting information to the county treasurer each year.

Amend said H. B. 1048 as substituted and amended by striking the figures "1971-72, 1972-73, and 1973-74" and substitute in lieu thereof

the word "(year)" wherever said figures appear on pages 2, 3, 4 and 5 of the bill.

Which was adopted.

And said substitute, as thus amended, for the Bill, H. B. 1048, was then adopted by the Senate.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Owen	
Bailes	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	Melton	Weaver	
Cook	Jones	Noonan	Wilder	
Dominick	King	O'Bannon	Wilson	
Edington	Littleton			—25

Nays: —0

And said Bill, H. B. 1048, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	McLain	Shelby	
Carr	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1049. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal Census.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1049, to-wit:

COMMITTEE AMENDMENT TO H. B. 1049

Amend Section 1 of H. B. 1049 by deleting the figure "\$21,300.00" and inserting in lieu thereof the figure "\$21,280.00".

Further amend H. B. 1049 by deleting in its entirety Section 2 and inserting in lieu thereof a new Section 2 to read as follows:

"Section 2. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a Law, but in no event prior to 1977."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	Malone	Register	
Branyon	Givhan	Melton	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cook	Horne	Owen	Wilder	
Dominick	King	Pelham	Wilson	
Dozier	Lindsey			—25

Nays:

—0

And said Bill, H. B. 1049, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen	
Bailes	Foshee	Lybrand	Pelham	
Branyon	Gilmore	McLain	Register	
Carr	Harris	Melton	Vacca	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1081. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1081, to-wit:

COMMITTEE AMENDMENT TO H. B. 1081

Amend Section 1 of H. B. 1081 by deleting the words and figure "Nineteen Thousand Dollars (\$19,000.00)" and inserting in lieu thereof the following words and figure:

"Seventeen Thousand Five Hundred Fifty-six Dollars (\$17,556.00)".

Further amend H. B. 1081 by deleting in its entirety Section 4 and substituting in lieu thereof a new Section 4 so as to read as follows:

"Section 4. This act shall become effective upon its approval by the Governor or upon its otherwise becoming law, but in no event prior to 1977."

On motion of Mr. Bailes, said amendment was laid on the table.

Mr. Bailes then offered the following amendment to the Bill, H. B. 1081, to-wit:

AMENDMENT TO H. B. 1081

Further amend Section 1 of H. B. 1081 by deleting the words and figures "Seventeen Thousand Five Hundred Fifty-six Dollars (\$17,556.00)"

and substitute in lieu thereof the following words and figures "Sixteen Thousand One Hundred Four Dollars (\$16,104.00)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Melton	Vacca
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

And said Bill, H. B. 1081, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Gilmore	McLain	Register
Carr	Givhan	Malone	Vacca
Cook	Hawkins	Melton	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1189. To amend Section 4, Act No. 571, Acts of Alabama 1967, page 1324, approved September 8, 1967, to further provide for the compensation of the Assistant or Associate Judge of Probate in counties having 600,000 or more population.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1189, to-wit:

COMMITTEE AMENDMENT TO H. B. 1189

Amend Section 1 of H. B. 1189 by deleting the words and figure "Twenty-four Thousand (\$24,000.) Dollars" and inserting in lieu thereof "Twenty-Five Thousand Two Hundred Seventy Dollars (\$25,270.00)".

Further amend H. B. 1189 by deleting in its entirety Section 3 and inserting in lieu thereof the following:

"Section 3. This Act shall become effective on January 1, 1977, after its passage and approval by the Governor, or upon its otherwise becoming a law."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Baker	Clark	Dominick
Bailes	Carr	Cook	Edington

Fine	King	Noonan	Shelby	
Gilmore	Lindsey	Owen	Vacca	
Givhan	Lybrand	Pelham	Wilder	
Hawkins	McLain	Register	Wilson	
Jones	Melton			—25
Nays:				—0

And said Bill, H. B. 1189, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	McLain	Pierce	
Baker	Gilmore	Malone	Register	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25
Nays:				—0

The Bill:

S. 934. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Lybrand	Register	
Branyon	Gilmore	Malone	Shelby	
Clark	Givhan	Melton	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Horne			—25
Nays:				—0

The Bill:

S. 894. To amend Act Number 1255, H. 1118, and Act Number 1144, S. 593, Regular Session, 1969 (Acts 1969, Pages 2145 and 2372, respectively), which authorizes and provides for the establishment of a public law library in Colbert County, and provides for the taxing and collection of additional court costs in certain courts, in the county, to finance such library; to provide further for the taxing and collection of additional court costs for such purpose.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 894, to-wit:

COMMITTEE AMENDMENT TO S. B. 894

Amend Senate Bill 894 by striking in Section 2, paragraph 3 therefrom and inserting in lieu thereof the following:

"The sum of Two and no/100 (\$2.00) dollars in each criminal case, quasi-criminal case, or civil case filed in the County Court, and in each criminal case, or quasi-criminal case involving a misdemeanor filed in, arising in, or brought by appeal certiorari, or otherwise to the Circuit Court of Colbert County;"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Fine	Lybrand	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Melton	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, S. B. 894, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Baker	Fine	Lybrand	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Melton	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

RESOLUTION

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 106. PERMITTING FOREIGN NURSES TO PRACTICE AS LICENSED NURSES ON A TEMPORARY BASIS.

WHEREAS, there is a critical shortage of professional nurses, including a shortage of at least one thousand five hundred (1,500) registered nurses at the present time in the State of Alabama; and,

WHEREAS, approximately two hundred nine (209) foreign nurses, presently practicing in the State of Alabama, are making a significant contribution to the health care needs of the citizens of this State; and,

WHEREAS, a committee of the Alabama Council of Directors of Nursing Services, and the Alabama Hospital Association - Alabama State Nurses Liaison Committee of the Alabama Hospital Association have met with the State Board of Nursing to request that temporary work permits be extended to these foreign nurses, or that they be issued licenses to serve as nurses; and,

WHEREAS, the State Board of Nursing has denied these requests:

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the State Board of Nursing be, and it is hereby urged to permit all graduate nurses of approved schools of nursing, professional and practical, domestic and foreign, to practice as licensed nurses with working permits for the duration of time needed to take the examinations prescribed by the State Board of Nursing for the maximum number of times.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to His Excellency, the Governor of Alabama, Dr. Ira L. Myers, State Health Officer, and the members of the State Board of Nursing.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Collins:

H. J. R. 75. PROVIDING FOR CONTINUATION OF THE JOINT COMMITTEE ESTABLISHED BY S. J. R. 97, ACT NO. 382, APPROVED September 5, 1967, and CONTINUED BY S. J. R. 101, Act No. 1046, approved September 12, 1969, and CONTINUED BY H. J. R. 217, Act No. 2418, APPROVED October 1, 1971, TO STUDY THE PROBLEMS OF INTERSTATE AND INTRASTATE HIGHWAY SAFETY GENERALLY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to S. J. R. 97, Act No. 382, approved September 5, 1967, and continued by S. J. R. 101, Act No. 1046, approved September 12, 1969, and continued by H. J. R. 217, Act No. 2418, approved October 1, 1971, shall continue in existence and shall continue its work as directed in said Act No. 382. The committee shall make a report to the legislature before the 10th legislative day of the next regular session.

BE IT FURTHER RESOLVED, That the committee members shall be entitled to their usual legislative per diem and expenses for attending meetings of the committee which shall be paid from funds appropriated for the payment of the expenses of the legislature and that in no event shall this resolution carry an appropriation of more than \$10,000.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 75, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lyons:

H. J. R. 184. RECOMMENDING THAT THE LEGISLATURE SEND

MRS. RETHA D. WYNOT TO THE 36th ANNUAL CONVENTION OF THE NATIONAL ORDER OF WOMEN LEGISLATORS TO BE HELD IN SALT LAKE CITY, UTAH AND TO REIMBURSE HER FOR HER ORDINARY AND NECESSARY EXPENSES FOR ATTENDING SAID CONVENTION.

WHEREAS, the Alabama State Legislature is privileged to have among its members a woman legislator, the lovely and gracious lady from Gadsden, Mrs. Retha D. Wynot; and

WHEREAS, it is the best interest of the State of Alabama to be officially represented at the 36th Annual Convention of the National Order of Women Legislators which has as its basic purpose the discussion of legislative matters of mutual interest to the various states; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the lovely and gracious lady from Gadsden, Mrs. Retha D. Wynot, be appointed Alabama's official delegate to the 36th Annual Convention of the National Order of Women Legislators to be held September 9-13, 1973 in Salt Lake City, Utah and that she be reimbursed for her ordinary and necessary expenses in attending this important convention from the funds appropriated to the use of the Alabama Legislature upon the certificate of the Clerk of the House.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 184, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Barkett:

H. J. R. 191. MEMORIALIZING CONGRESS TO SUBMIT TO THE FIFTY STATES A PROPOSED CONSTITUTIONAL AMENDMENT TO REQUIRE THAT ALL FEDERAL JUDGES WHO ARE APPOINTED FOR LIFE MUST BE PERIODICALLY RECONFIRMED BY THE UNITED STATES SENATE.

WHEREAS the appointment of federal judges for life tenure have oftentimes resulted in a man being placed in a high federal judgeship who is irresponsible and not suited for the office; and

WHEREAS there needs to be some procedure whereby this republic may be safeguarded from such irresponsible persons holding high federal office; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That the United States Congress is hereby memorialized to submit to the fifty states of this republic a proposed Constitutional Amendment to the United States Constitution to require that all federal judges who are appointed for life be periodically reconfirmed by the United States Senate every ten years in order to continue holding their office.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to all members of the United States House of Representatives and the United States Senate.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 191, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lang:

H. J. R. 189. CONTINUING WORK OF FIRE ANT STUDY COMMISSION ESTABLISHED BY H. J. R. 75, ACT NO. 264, THIRD SPECIAL SESSION OF THE 1971 LEGISLATURE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to H. J. R. 75, Act No. 264, Third Special Session of the 1971 Legislature, shall continue in existence and shall continue its work as directed in said Act No. 264. The committee shall make a report to the Legislature before the 10th legislative day of the next regular session.

BE IT FURTHER RESOLVED, That the committee shall have the same membership, composed of two Senators appointed by the Lieutenant Governor and three Representatives appointed by the Speaker of the House, to study the continuing problem of fire ants in Alabama; that the members of the Fire Ant Study Commission shall select a chairman and a vice-chairman from among their number; that they shall meet from time to time during the interim between regular sessions; that each member of the committee shall be entitled to his regular legislative compensation and an allowance for each day that he attends a meeting of the committee; and that the committee may employ such assistance as is necessary for the performance of its duties.

BE IT FURTHER RESOLVED, That the compensation and expenses of the committee and its staff, not to exceed the sum of \$5,000.00 altogether shall be paid out of funds appropriated to the use of the Legislature, on warrants drawn on the State Comptroller upon requisitions signed by the committee's chairman.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 189, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lyons:

H. J. R. 193. To DESIGNATE U. S. HIGHWAY 90 FROM BATTLESHIP PARKWAY TO MISSISSIPPI LINE AS HISTORIC MOBILE PARKWAY.

WHEREAS, U. S. Highway 90 in Mobile County is one of the oldest highways in the nation; and

WHEREAS, this highway extends through the heart of historic downtown Mobile, and connects with Battleship Parkway and leads to other highways connecting with Baldwin County's many other tourist attractions; and

WHEREAS, along this highway may be found the remains of Fort Conde, one of the first permanent settlements on the Gulf of Mexico which later became the City of Mobile, as well as other tourist attractions such as the Mobile International Speedway; Barton Academy, Alabama's first public school; the Azalea trail; the City Hall, formerly the city market and militia armory; Admiral Raphael Semmes home; and

WHEREAS, U. S. Highway 90 is the major street connecting the historic streets downtown where gas lights, historic buildings and landmarks dating back to the early 1800's are still standing in their "Old South" splendor; and

WHEREAS, the flavor and style of Old Mobile has combined with modern day conveniences to make present day Mobile a pleasure stop for any visitor; and

WHEREAS, newly constructed Interstate 10 now leads many tourists past Mobile into neighboring states and deprives them of the splendor and charm that is Mobile, Alabama; and

WHEREAS, many vacationing motorists are not aware of the pleasures and educational advantages awaiting them in this fine Southern city; and

WHEREAS, it is hereby proposed that U. S. Highway 90 be designated as Historic Mobile Parkway for the purpose of availability of signing and informing the public of the advantages awaiting them along this historic route; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the portion of U. S. Highway 90 from its connection with Battleship Parkway and extending west to the Mississippi State line be named, designated and known as Historic Mobile Parkway.

RESOLVED FURTHER, That the State of Alabama Highway Department shall cause appropriate markers to be erected along the route of said Parkway so designating its name and historic significance.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 193, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. W. Milam Turner Jr. and P. C. Cottingham:

H. J. R. 198. CHANGING THE NAME OF VALLEY CREEK STATE PARK TO PAUL M. GRIST STATE PARK.

WHEREAS Paul M. Grist of Selma has exemplified the characteristics of Christian leadership in his unselfish devotion to others; and

WHEREAS Paul M. Grist has served as Y. M. C. A. Secretary for 45 years; and

WHEREAS Paul M. Grist built and directed Y. M. C. A. Camp McGee on Dallas County Lake which operated from 1923 to 1938; and

WHEREAS Paul M. Grist built Y. M. C. A. Camp Grist on Dallas County Lake in 1940; and

WHEREAS Paul M. Grist achieved pre-eminence in two of the most soul-satisfying areas granted to man: His service to, and imprint upon thousands of American Youth, and his exemplification of "the teachings of Christianity"; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the name of Valley Creek State Park on Dallas County Lake be changed to Paul M. Grist State Park in honor of Paul M. Grist and his life of unselfish devotion to the benefit of others.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 198, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Harris, Bank and Lyons:

H. J. R. 211. REQUEST TO RESTORE VETERANS DAY TO NOVEMBER 11TH

WHEREAS, the date November 11, 1918 has a place in the heart of every veteran who served in the Armed Forces of this country; and

WHEREAS, for nearly fifty years on this date of November 11th the Nation halted and paid homage to the men and women of ALL wars who have defended this country for nearly 200 years, and Alabama is recognized over the entire nation as being one of the foremost states in rendering these honors; and

WHEREAS, the Congress of the United States, some years back, changed the date of Veterans Day to an unknown and meaningless Monday in October; and

WHEREAS, the Legislatures of some 26 states of the Union, have gone on record as returning the observance of Veterans Day to November 11th, or by resolution have requested the Congress of the United States to do so; and

WHEREAS, the State of Alabama — one of the most loyal and

patriotic states in the Nation — should be in the forefront of the effort to have the U. S. Congress restore Veterans Day to November 11th; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Congress of the United States be requested to immediately return Veterans Day to its rightful date of November 11th.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to members of the Congressional Delegation of the State of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 211, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. King, Smith (P), Cauthen, Chesnut, Porter, Erdreich, Cross, Taylor, Crowe, Waggoner, Boutwell, Carter, Carnes, Hobbie, Flippo, Owens, Bank, Hale, Barron, Grainger, Mims, Reed (T), Hearn, Casey, Stokes, Roberts, Nettles, Coshatt, Wood, Snell, Callahan, Barkett, Lyons, Doss, Drake, Adams, McMillan, McNair, Meeks, McBride, Ellis, Collins, McDonald, Waldrop, Reid (R), Grey (D), St. John, Timmons, Hill, Hardin, Burgess, Turner, Wynot, Adwell, Bowers, Falkenburg, Edwards, Culver and Perloff:

H. J. R. 208. URGING CREATION OF ENVIRONMENTAL LAND AND WATER MANAGEMENT COMMITTEE

WHEREAS, there is a need for an environmental land and water management committee; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That such a committee be created as follows:

(1) There is hereby created an environmental land management study committee to consist of six members. The president of the Senate shall appoint three members. The Speaker of the House shall appoint three members. Members of the committee shall be entitled to receive their regular legislative compensation and allowances for each day while in attendance of committee meetings, when not drawing their regular legislative pay; but in no event shall the committee's expenses and compensation exceed \$6,000 which shall be paid out of any funds appropriated to the use of the legislators. The committee shall continue in existence until its duties are terminated, but not later than the tenth legislative day of the 1975 Regular Session, at which time the committee shall be desolved.

(2) The committee shall study all facets of land resource management and land development regulation with a view toward insuring that Alabama's land use laws give the highest quality of human amenities and environmental protection consistent with a sound and economic pattern of well planned development, and shall recommend such new

legislation or amendments to existing legislation as are needed to achieve that goal.

(3) As part of its work the committee shall review the land use laws of other states, the relevant federal laws, the progress of the American Law Institute's project to draft a model land development code, and the general pattern of courts' decisions in the land use area. The committee shall examine techniques for encouraging new types of well planned development including methods of regulating planned unit developments and new communities.

(4) The committee shall also consult with local governments and regional planning agencies regarding their land use problems, consult with relevant state agencies, and shall obtain the views of the public, including the views of businesses and professions concerned with use of land, and of other interested groups.

(5) The committee shall be authorized to apply for and accept any available federal grants for such studies.

(6) The committee shall be authorized to appoint such advisory committees, representatives of state and local governmental organizations and professional organizations which, in the determination of the committee, shall facilitate the studies of said committee.

(7) The committee shall prepare and submit to the governor and the legislature not later than the tenth legislative day of the 1975 Regular Session, a report which shall contain:

(a) Such proposals for changes in legislation as are recommended by the committee.

(b) Drafts of model development ordinances which will assist local governments in adopting development ordinances as required by this act;

(c) Analyses of and comments on other relevant state-commissioned studies and reports;

(d) Review of, and recommendations on, the current status and effectiveness of regional planning agencies with regard to land and water management; and

(e) Such other findings and recommendations as the committee chooses to make.

(8) The Alabama Development Office shall provide necessary staff to the committee.

(9) Prior to submitting any recommendation or issuing any rule under this resolution, the Office of State Planning shall consult with and obtain the advice of the committee.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 208, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owens:

H. J. R. 201. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study insurance rates and premiums in this state. Such committee shall be composed of five members of the House of Representatives who shall be members of the House standing committee on insurance and who shall be appointed by the Speaker of the House and four members of the Senate who shall be members of the Senate standing committee on insurance and who shall be appointed by the Lieutenant Governor. The committee shall select its own chairman and vice-chairman. Five members shall constitute a quorum.

It shall be the duty of the committee to meet as soon as practicable after the approval date of this resolution and upon the call of the chairman to study the existing programs of insurance which are available to citizens of this state, including but not limited to rates, premiums, benefits, services and all features relating to insurance coverage, with particular emphasis upon casualty line insurers furnishing liability and physical damage coverage. The committee shall further seek the advice, assistance and cooperation of the State Insurance Department and representatives of the insurance industry to the end that state government and insurers may unite and coordinate their efforts in doing everything possible to up-grade insurance benefits at reduced costs for the citizens of Alabama.

Upon the request of the chairman, the Secretary of the Senate and the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work. The total expenditures of the committee in any fiscal year shall not exceed forty-eight hundred dollars, inclusive of per diem legislative pay.

The committee shall report its findings, conclusions and recommendations to the legislature not later than the fifth legislative day of the 1975 Regular Session, whereupon the committee shall be dissolved.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 201, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lyons:

H. J. R. 200. AUTHORIZING TWO MEMBERS FROM BOTH THE HOUSE AND SENATE COMMITTEES ON INSURANCE TO ATTEND THE ANNUAL MEETING OF THE CONFERENCE OF INSURANCE LEGISLATORS IN ATLANTA.

WHEREAS the Conference of Insurance Legislators' Annual Meeting will be held October 21-24, 1973, in Atlanta; and

WHEREAS it would be of great benefit to the House and Senate Committees on Insurance for certain of their members to attend said conference and report back on major insurance issues; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the presiding officer of both the House and the Senate may appoint two members each from the Committee on Insurance of their respective house to attend the annual meeting of the Conference of Insurance Legislators in Atlanta to be held October 21-24, 1973.

BE IT FURTHER RESOLVED, That all reasonable and necessary expenses incurred by said members in attending said meeting will be paid out of any funds appropriated to the use of this Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 200, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill, Stewart and Burgess:

H. J. R. 219. OPPOSING THE CLOSING OF THE MILITARY BASE AT FORT McCLELLAN

WHEREAS the announced decision that a study is being made to consider the closing of Fort McClellan at Anniston, Alabama has come as a distinct shock to the citizens of this state and particularly to the people of the Anniston area; and

WHEREAS strong local support has always been given to the military forces at Fort McClellan since, when the declaration of war with Germany in 1917, the War Department was rapidly surveying the country for possible camp sites, the citizens of Anniston patriotically underwrote additional funds in the amount of \$136,000 necessary to compensate owners of crops planted on the desired site, an obligation which cost the citizens of Anniston much anxiety and hard work and was not paid off until 1934; and

WHEREAS the unusually favorable climate of Anniston, the high caliber civilian personnel, including master craftsman available for employment at the Fort and the economic, civic, social and cultural contributions of the military have resulted in a closely interwoven relationship of mutual respect between Fort McClellan personnel and the citizens of Anniston, a fact which is attested to by the large number of military retirees and five of the six past commanding officers of Fort McClellan who have chosen to make Anniston their permanent home; and

WHEREAS the consideration of any plan to close Fort McClellan is a particularly severe blow in view of the fact that Fort McClellan was the home of the WACs and that plans were in the making to double the WAC strength by 1976, and that plans and expenditures have already been made in reliance upon the anticipated move of the Military Police School to Fort McClellan with the expected base strength to be 10,051, including some 8,851 military and 1,200 civilians by 1975; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully request the

Army to study thoroughly and evaluate carefully the many advantages of keeping its installation at Fort McClellan open and activated to its fullest capacity and that all plans to close its facilities at that place be definitely abandoned as soon as possible.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the following:

The Honorable Howard H. Callaway
Secretary of the Army
Department of the Army
Washington, D. C. 20310

General Creighton Abrams
Chief of Staff
Department of the Army
Washington, D. C. 20310

RESOLVED FURTHER That copies of this resolution also be sent to Senators John Sparkman and James Allen and to each member of the Alabama delegation in the House of Representatives of the United States Congress, with the urgent request that each such officer do everything in his power which is necessary and appropriate to maintain the military facilities at Fort McClellan and to prevent the closing of its base of operations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 219, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McBride:

H. J. R. 155. TO ESTABLISH AN INTERIM EDUCATION ACCOUNTABILITY STUDY COMMISSION

WHEREAS, the members of the Legislature of Alabama recognize the need for the continued improvement of education at all levels within the State of Alabama; and

WHEREAS, the Legislature of Alabama is aware that education in the State has been attempting to be accountable to the students, their parents, and the tax paying public all of whom are entitled to more information about the utilization of and the results obtained from the funds they provide for the support of education in the State; and

WHEREAS, the Legislature of Alabama, along with education at all levels in the State, recognizes that there are many different education accountability procedures being successfully implemented throughout the United States and that there is a need to improve the current education and accountability procedures for education in Alabama; and

WHEREAS, the Legislature of Alabama desires a comprehensive study of all accountability procedures to determine which ones may best be used in Alabama to help education at all levels become more accountable to the Legislature and the public; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created an interim Education Accountability Study Committee to investigate the current accountability practices in other States of the United States to ascertain which practices may be appropriate for implementation by education in the State of Alabama to enable it to become more accountable to the public.

a. The Education Accountability Study Committee shall be composed of ten members of the Alabama State Legislature; five members to be appointed by the Speaker of the House, three of which shall be members of the House Education Committee and five members to be appointed by the President of the Senate, three of which shall be members of the Senate Education Committee. The Education Accountability Study Committee shall appoint such advisory personnel and consulting committees as it deems appropriate which are representative of all facets of education to assist the Study Committee.

b. The Education Accountability Study Committee shall elect a chairman from among its members and the committee shall meet at the call of the chairman or at the request of a majority of its membership directed to the committee secretary in writing.

c. The compensation of the committee members and committee employees shall be paid as provided in Code 1940, Title 32, Section 13: Provided, however, that the Legislature shall provide two stenographers, to be selected by the Commission, whose compensation shall not exceed the salaries paid for Stenographer III under the State Merit System. The funds to carry out the provisions of this resolution shall be expended from funds appropriated for the use of the Legislature; provided that the total amount of funds expended for all purposes, other than the compensation of the above mentioned two stenographers, shall not exceed \$10,000.

d. The Accountability Education Study Committee shall prepare a written report of its findings and its recommendations which shall be furnished to the Governor, to each member of the Legislature, to the State Superintendent of Education and be made available to the education community on or before the next regular session of the Legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 155, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Drake, St. John and McDonald:

H. J. R. 174. CHANGING THE NAME OF THE GEORGE C. WALLACE TRADE SCHOOL OF CULLMAN COUNTY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution in Cullman, now designated as the George C. Wallace Trade School of Cullman County, shall be hereafter designated and known as the George C. Wallace State Technical Community College.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 174, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 32. NAMING CERTAIN ROADS AND HIGHWAYS IN TUSCALOOSA AND JEFFERSON COUNTIES "THE TANNEHILL TRAIL."

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Mr. Clark offered the following Senate Joint Resolution: to-wit:

S. J. R. 107. CLARIFICATION OF LEGISLATIVE INTENT CONCERNING SALARY INCREASES FOR CERTAIN TEACHERS.

WHEREAS, the Legislature has passed and the Governor has signed the Education Appropriation Bill, Senate Substitute for the Ways and Means Committee Substitute for H. B. 322, and

WHEREAS, the Act states, "It is provided that beginning with the fiscal year 1973-74, that in addition to the salary now received, and all other increments due, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than one thousand one hundred and sixty dollars (\$1,160.00) per annum; Rank II teachers not less than one thousand dollars (\$1,000.00) per annum; Rank III teachers not less than eight hundred eight dollars (\$808.00) per annum; Rank IV teachers not less than six hundred eight-one dollars (\$681.00) per annum; teachers holding Rank AA Certificates shall be paid six hundred dollars (\$600.00) per annum above the total amount paid to Rank I teachers with like experience; and any city or county board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund," and

WHEREAS, the wording in the Act could possibly leave some question as to the intent of the Legislature concerning the increases for beginning or first-year teachers:

NOW, THEREFORE, BE IT RESOLVED by the Legislature, both Houses thereof concurring, that it is the intent of the Legislature that beginning teachers in the 1973-74 school year be given the raises applicable to their respective ranks over the amounts paid beginning teachers during the 1972-73 school year.

Which was read and referred to the Standing Committee on Rules.

Mr. Clark offered the following Senate Joint Resolution, to-wit:

S. J. R. 108. DECLARING LEGISLATIVE INTENT ON EDUCATORS' SALARY INCREASE

WHEREAS, the State Board of Education has directed in a resolution adopted on August 14, 1973 that the school term be increased from 175 to 180 days each year, and;

WHEREAS, the effect of said resolution could dilute the general salary increase which the Alabama Legislature approved for teachers and other public school personnel, and;

WHEREAS, this is contrary to the spirit and the intent of the increase in the state salary allocation for teachers approved by the Alabama Legislature and included in the regular Biennial Education Appropriations Act, and;

WHEREAS, teachers will support a longer school term provided they are not required to sign contracts to work more than the current 180-day contract period without additional compensation for the extra days,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the State Board of Education, the State Superintendent of Education, local boards of education, and local superintendents be advised that the Legislature strongly feels that teachers are entitled to the full salary increase provided in Act 384 of the 1973 Regular Session of the Alabama Legislature, and any action by administrative authority to require additional work days without additional salary for days beyond the 180-day contract term negates the intent of the Legislature in approving the general salary increase for educators.

Which was read and referred to the Standing Committee on Rules.

Mr. Wilder offered the following Senate Joint Resolution, to-wit:

S. J. R.109. COMMENDING CERTIFIED NURSE ANESTHETISTS

WHEREAS, The State of Alabama is fortunate to have among its citizens a group of dedicated professional workers who daily serve their fellow men ably and well; and

WHEREAS, the citizens of our great State of Alabama may be justly proud that they have at their call for service a group known as the Certified Registered Nurse Anesthetists of Alabama; and

WHEREAS, the members of this group have successfully completed the educational program of a school of nursing accredited by the National League of Nursing and have further successfully completed the educational program of a School of Anesthesia accredited by the American Association of Nurse Anesthetists and have further been certified as Certified Nurse Anesthetists by the American Association of Nurse Anesthetists; now therefore,

BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That this Professional Group of Certified Registered Nurse Anesthetists of Alabama be saluted, recognized and acclaimed as a Professional Association which is contributing in a material way to the health of the citizens of our State, and that a copy of this resolution be sent to this organization.

Which was read and ordered to lay over on the Secretary's Desk.

**UNFINISHED BUSINESS
BILLS ON THIRD READING RESUMED**

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 243. To create a State Board of Auctioneers which shall administer and enforce the licensing of auctioneers in this state; to provide that licensees keep certain records; to assess fees; and to provide penalties for violations of this act.

And said Bill, H. B. 243, was then read a third time at length and passed.

Yeas: 18; Nays 6.

Yeas:

Messrs.:	Foshee	Littleton	Vacca	
Bailes	Givhan	Noonan	Weaver	
Branyon	Horne	Pelham	Wilder	
Clark	King	Register	Wilson	
Fine	Lindsey	Shelby		—18

Nays:

Messrs.:	Dominick	Melton	Pierce	
Baker	Lybrand	O'Bannon		—6

The Bill:

H. 400. Relating to the practice of public accounting; to regulate the practice of public accounting; to create a State Board of Public Accountancy and to provide for its membership and to prescribe its powers and duties; to provide for the regulation, examination, investigation, registration, issuance of certificates and permits, and for the revocation or suspension of certificates, registrations, and permits; to provide fees and charges and for expenses of said Board, making appropriations, prescribing penalties for violations of the Act, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 31; Nays 1.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Owen	
Baker	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cook	Hawkins	Malone	Weaver	
Dominick	Horne	Noonan	Wilson	

—31

Nay: Mr. Melton

—1

RESOLUTION

Mr. Owen offered the following Senate Joint Resolution, to-wit:

S. J. R. 110. DESIGNATING THE DENTAL CLINIC AT THE JAMES H. FAULKNER STATE JUNIOR COLLEGE IN BAY MINETTE "THE HAROLD B. PEARSON DENTAL CLINIC"

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Dental Clinic at the James H. Faulkner State Junior College in Bay Minette, Alabama is hereby designated "the Harold B. Pearson Dental Clinic."

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the president of James H. Faulkner Junior College, the State Board of Education and the State Superintendent of Education.

Which was read and ordered to lay over on the Secretary's Desk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 939. To authorize and make provisions for the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such municipality within which any such Authority proposes to furnish any such service; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the municipality by which its incorporation was authorized; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which sum securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and con-

tracts entered into by such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such Authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

was taken up.

Mr. Edington offered the following amendment to the Bill, S. B. 939, to-wit:

Amendment to S. B. 939

Amend Senate Bill 939 by deleting the semicolon at the end of Section 8(13) and adding the following: "or any rights owned or held by railroads or utilities, both public and private;"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Clark	Hawkins	Malone	Vacca
Cook	Horne	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

And said Bill, S. B. 939, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	Littleton
Baker	Edington	Horne	McLain
Branyon	Fine	Jones	Malone
Carr	Foshee	King	Noonan
Cook	Givhan	Lindsey	O'Bannon

Pelham
PierceShelby
Vacca

Wilder

Wilson

—25

Nays:

—0

RESOLUTION

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 111. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business, upon reaching bills on third reading, for the Thirty-third Legislative Day only.

PENSIONS AND SECURITY PACKAGE

1. H. B. 1108	165
2. H. B. 1109	165
3. H. B. 1110	165
4. H. B. 1111	166
5. H. B. 1112	166
6. H. B. 1113	166
7. H. B. 1114	167

COST CONTROL

8. H. B. 516	141	Secretary of State
9. H. B. 517	194	Secretary of State
10. H. B. 518	141	Secretary of State

STATE EMPLOYEE PACKAGE

11. H. B. 1059	143	
12. H. B. 1060	180	
13. H. B. 1061	174	
14. H. B. 2	203	Raises those teachers who receive 5% retirement
15. H. B. 118	85	Permitting teachers to earn up to social security maximums
16. H. B. 120	229	Restructuring Teacher Retirement Board

Mr. Wilson offered the following substitute for the Resolution, S. R. 111, to-wit:

SUBSTITUTE FOR S. R. 111

S. R. 111. BE IT RESOLVED BY THE SENATE That the following bills be made a special, paramount and continuing order of business, taking priority over all other bills on the calendar, and taking priority over the regular order of business until disposed of for the Thirty-third Legislative Day only:

Bill No.	Page	Subject
1. H. B. 324	171	Walker County College Appropriation
2. H. B. 326	172	Marion Institute Appropriation
3. H. B. 112	171	Tuskegee Institute Appropriation
4. H. B. 325	172	Lyman Ward Military Institute Appro.
5. S. B. 133	2	Capital Outlay

On motion of Mr. Fine, said substitute was laid on the table.

Yeas 21; Nays 10.

Yeas:

Messrs.:	Fine	King	Pierce
Bailes	Foshee	Littleton	Register
Baker	Gilmore	Lybrand	Shelby
Clark	Harris	McLain	Vacca
Dozier	Horne	O'Bannon	Weaver
Edington	Jones		

—21

Nays:

Messrs.:	Hawkins	Melton	Wilder
Branyon	Lindsey	Noonan	Wilson
Givhan	Malone	Owen	

—10

Mr. Wilson then offered the following substitute for the Resolution, S. R. 111, to-wit:

SUBSTITUTE FOR S. R. 111

BE IT RESOLVED BY THE SENATE That the following bills be made a special, paramount and continuing order of business, taking priority over all other bills on the calendar, and taking priority over the regular order of business until disposed of for the Thirty-third Legislative Day only:

Bill No.	Page	Subject
1. H. B. 324	171	Walker County College Appropriation
2. H. B. 326	172	Marion Institute Appropriation
3. H. B. 112	171	Tuskegee Institute Appropriation

On motion of Mr. Fine, said substitute was laid on the table.

Yeas 23; Nays 10.

Yeas:

Messrs.:	Edington	Jones	Pelham
Baker	Fine	King	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	McLain	Shelby
Dominick	Harris	Melton	Vacca
Dozier	Horne	O'Bannon	Wilder

—23

Nays:

Messrs.:	Givhan	Lybrand	Owen
Bailes	Hawkins	Malone	Wilson
Branyon	Lindsey	Noonan	

—10

And said Resolution, S. R. 111, was then adopted by the Senate.

The Bill:

H. 1108. To amend further Code of Alabama 1940, Title 51, Section 741, as amended by Act No. 73, Section 2, Acts of Alabama 1955, Vol. I, p. 188 at pp 190-191, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

was taken up.

Mr. Dominick offered the following amendment to the Bill, H. B. 1108, to-wit:

AMENDMENT TO H. B. 1108

In the Synopsis, the title and in Section 1 wherever the words "general welfare purpose" appear, strike said words and insert in lieu thereof the following, viz:

40% for aid to families with dependent children purposes only and 60% for general welfare purposes.

On motion of Mr. Gilmore, said amendment was laid on the table.

Yeas 16; Nays 12.

Yeas:

Messrs.:	Foshee	Jones	O'Bannon	
Baker	Gilmore	Lindsey	Owen	
Branyon	Givhan	Lybrand	Pierce	
Carr	Harris	Melton	Wilson	
Clark				—16

Nays:

Messrs.:	Edington	Littleton	Register	
Bailes	Hawkins	Malone	Shelby	
Dominick	King	Noonan	Wilder	
Dozier				—12

Mr. Gilmore offered the following amendment to the Bill, H. B. 1108, to-wit:

AMENDMENT TO H. B. 1108

Amend H. B. 1108 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act. No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Clark	Gilmore	King
Bailes	Dominick	Harris	Lindsey
Branyon	Fine	Hawkins	Littleton
Carr	Foshee	Jones	Lybrand

McLain	O'Bannon	Pierce	Vacca	
Malone	Owen	Register	Weaver	
Melton	Pelham	Shelby	Wilder	
Noonan				—28

Nays: —0

And said Bill, H. B. 1108, as thus amended, was then read a third time and at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Foshee	Malone	Register	
Baker	Gilmore	Melton	Shelby	
Branyon	Harris	Noonan	Vacca	
Carr	Hawkins	O'Bannon	Weaver	
Clark	Horne	Owen	Wilder	
Dominick	Lindsey	Pelham	Wilson	
Dozier	Littleton			—29

Nays: —0

RESOLUTION

Mr. Harris offered the following Senate Joint Resolution, to-wit:

S. J. R. 112.

WHEREAS, James Ralph "Shug" Jordan has been head football coach at Auburn University for twenty-two years and has guided his teams to an enviable record of 156 victories during this time; and

WHEREAS, this record Coach Jordan has compiled ranks fourth in the nation in total victories and also ranks him fourth in the nation in winning percentage among active coaches with twenty or more years of service; and

WHEREAS, Coach Jordan is the only active coach in the Southeastern Conference who was coaching in any sport when the SEC was formed in 1933; and

WHEREAS, he has won many honors, including SEC Coach of the Year four times, and was runner-up in 1972 for NCAA National Coach of the Year; and

WHEREAS, his teams have participated in ten bowl games, five of which have taken place in the last five years and one of the most thrilling being the recent Gator Bowl victory over Colorado; and

WHEREAS, Coach Jordan has been far more than "just" a football coach at Auburn, giving of his time and talents throughout the years in any way which would further the institution; and

WHEREAS, his inspired leadership, high sense of morals, devotion to the total development of the individual, and his outstanding professional ethics have touched the lives of thousands, both directly and indirectly; and

WHEREAS, the Auburn University Board of Trustees has unanimously recommended at its meeting on August 23, 1973, that Cliff Hare Stadium be renamed "Jordan-Hare Stadium" in recognition of Coach Jordan's contribution to the University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that in recognition of the unique contributions of Coach Jordan to the people of Alabama and his outstanding dedication to Auburn University, the stadium be designated, named and known as the Jordan-Hare Stadium.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Mrs. Evelyn Jordan, and to their children, Mrs. Tom Pilgreen, Miss Darby Jordan, and Mr. Ralph Jordan, Jr.

Which was read and ordered to lay over on the Secretary's Desk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1109. To amend further Code of Alabama 1940, Title 51, Section 350, as amended, by Act No. 74, Acts of Alabama 1955, Vol. I, p. 191 at p. 192; and as further amended by Act No. 103, Acts of Alabama 1971, Vol. I, pp 184-186, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

was taken up.

Mr. Gilmore offered the following amendment to the Bill, H. B. 1109, to-wit:

AMENDMENT TO H. B. 1109

Amend H. B. 1109 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Edington	Lindsey	Pierce
Baker	Fine	Littleton	Register
Branyon	Foshee	Lybrand	Shelby
Carr	Gilmore	Malone	Vacca
Clark	Givhan	Melton	Wildner
Cook	Hawkins	Noonan	Wilson
Dominick	Jones	O'Bannon	

—30

Nays:

—0

And said Bill, H. B. 1109, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Baker	Carr	Cook
Bailes	Branyon	Clark	Dominick

Edington	Horne	McLain	Register	
Fine	Jones	Melton	Shelby	
Foshee	King	Noonan	Vacca	
Gilmore	Lindsey	Owen	Wilder	
Givhan	Littleton	Pelham	Wilson	
Harris	Lybrand	Pierce		—30

Nays:

—0

The Bill:

H. 1110. To amend further Act No. 92, Special Session, 1963, Acts of Alabama 1963, Vol. I, p. 257 at p. 258, as amended, by Act No. 135, Acts of Alabama 1964, pp 199-200, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization of the use of funds.

was taken up.

Mr. Gilmore offered the following amendment to the Bill, H. B. 1110, to-wit:

AMENDMENT TO H. B. 1110

Amend H. B. 1110 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Baker	Gilmore	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Carr	Horne	Noonan	Wilder	
Clark	King	Owen	Wilson	
Cook	Lindsey	Pelham		—26

Nays:

—0

And said Bill, H. B. 1110, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pierce	
Baker	Givhan	Lybrand	Register	
Branyon	Harris	McLain	Shelby	
Clark	Hawkins	Malone	Vacca	
Cook	Horne	Melton	Wilder	
Dominick	Jones	Noonan	Wilson	
Fine	King	O'Bannon		—30

Nays:

—0

The Bill:

H. 1111. To further amend Section 5 of Act No. 298, Regular Session, 1947, General Acts of Alabama 1947, p. 149, as amended, by Act No. 589, Acts of Alabama 1963, Vol. II, pp 1285-1287; as further amended by Act No. 766, Acts of Alabama 1965, Vol. II, p. 1378, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

was taken up.

Mr. Gilmore offered the following amendment to the Bill, H. B. 1111, to-wit:

AMENDMENT TO H. B. 1111

Amend H. B. 1111 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Gilmore	Lybrand	Pierce
Baker	Harris	McLain	Register
Branyon	Hawkins	Melton	Shelby
Clark	Horne	Noonan	Vacca
Cook	Jones	O'Bannon	Wilder
Dominick	King	Owen	Wilson
Dozier	Lindsey		

—29

Nays:

—0

And said Bill, H. B. 1111, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Pierce
Baker	Gilmore	Littleton	Register
Branyon	Givhan	Lybrand	Shelby
Carr	Harris	Melton	Vacca
Clark	Hawkins	Noonan	Wilder
Cook	Horne	O'Bannon	Wilson
Dominick	Jones	Owen	

—30

Nays:

—0

The Bill:

H. 1112. To amend Act No. 100, Section 32, Second Special Session, 1959, Acts of Alabama 1959, Vol. I, p. 298 at pp 314-315, the Alabama

Sales Tax Law, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

was taken up.

Mr. Gilmore offered the following amendment to the Bill, H. B. 1112, to-wit:

AMENDMENT TO H. B. 1112

Amend H. B. 1112 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Littleton	Pelham
Baker	Gilmore	Lybrand	Pierce
Branyon	Givhan	McLain	Register
Clark	Harris	Malone	Shelby
Cook	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—29

Nays:

—0

And said Bill, H. B. 1112, as thus amended, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Pelham
Bailes	Fine	Littleton	Register
Baker	Foshee	Lybrand	Shelby
Branyon	Gilmore	McLain	Vacca
Carr	Givhan	Melton	Weaver
Clark	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier			

—28

Nays:

—0

The Bill:

H. 1113. To amend Act No. 78, Second Special Session, 1955, Acts of Alabama 1955, Vol. 1, p. 199, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

was taken up.

Mr. Gilmore offered the following amendment to the Bill, H. B. 1113, to-wit:

AMENDMENT TO H. B. 1113

Amend H. B. 1113 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pelham	
Bailes	Foshee	Lindsey	Register	
Baker	Gilmore	Lybrand	Shelby	
Branyon	Givhan	McLain	Vacca	
Carr	Harris	Melton	Wilder	
Dozier	Hawkins	O'Bannon	Wilson	
Edington	Horne	Owen		—26

Nays:

—0

And said Bill, H. B. 1113, as thus amended, was then read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Baker	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	McLain	Vacca	
Cook	Hawkins	Melton	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier				—32

Nays:

—0

BILLS RECONSIDERED

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1108, as amended, was passed.

Yeas 20; Nays 4.

Yeas:

Messrs.:	Carr	Fine	Jones
Bailes	Cook	Givhan	McLain
Baker	Dominick	Hawkins	Melton
Branyon	Dozier	Horne	O'Bannon

Pierce Register	Vacca	Weaver	Wilder	—20
<i>Nays:</i>				
Messrs.: Gilmore	Lindsey	Littleton	Lybrand	—4

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1108, as amended, was ordered to its third reading.

Mr. Bailes then offered the following amendment to the Bill, H. B. 1108, as amended, to-wit:

AMENDMENT TO H. B. 1108

Amend H. B. 1108 by striking therefrom the Gilmore Amendment.

Which was adopted.

Yeas 23; Nays 2.

Yeas:

Messrs.:	Dominick	Harris	Lybrand
Bailes	Dozier	Hawkins	McLain
Baker	Edington	Horne	Noonan
Carr	Fine	Jones	Pierce
Clark	Foshee	King	Register
Cook	Givhan	Lindsey	Wilder
			—23

Nays: Messrs: Branyon, Gilmore —2

And said Bill, H. B. 1108, as thus amended, was again read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Littleton	Register
Baker	Givhan	Lybrand	Vacca
Branyon	Harris	McLain	Weaver
Carr	Hawkins	Melton	Wilder
Clark	Horne	Noonan	Wilson
Dozier	King	Pelham	
			—26

Nays: —0

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1109, as amended, was passed.

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1109, as amended, was ordered to its third reading.

Mr. Bailes then offered the following amendment to the Bill, H. B. 1109, as amended, to-wit:

AMENDMENT TO H. B. 1109

Amend H. B. 1109 by striking therefrom the Gilmore Amendment.

Which was adopted.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Baker	Foshee	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Clark	Hawkins	McLain	Weaver
Dominick	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson

—27

Nay: Mr. Branyon

—1

And said Bill, H. B. 1109, as thus amended, was again read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	O'Bannon
Bailes	Givhan	Littleton	Owen
Baker	Harris	Lybrand	Pierce
Branyon	Hawkins	McLain	Register
Clark	Horne	Melton	Wilder
Edington	King	Noonan	Wilson
Fine			

—24

Nays:

—0

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1110, as amended, was passed.

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1110, as amended, was ordered to its third reading.

Mr. Bailes then offered the following amendment to the Bill, H. B. 1110, as amended, to-wit:

AMENDMENT TO H. B. 1110

Amend H. B. 1110 by striking therefrom the Gilmore Amendment.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Givhan	Littleton	Pelham
Bailes	Harris	Lybrand	Pierce
Baker	Hawkins	McLain	Register
Clark	Horne	Melton	Weaver
Dozier	Jones	Noonan	Wilder
Fine	King	O'Bannon	Wilson
Foshee	Lindsey	Owen	

—26

Nays:

—0

And said Bill, H. B. 1110, as thus amended, was again read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Baker	Clark	Foshee
Bailes	Branyon	Fine	Givhan

Hawkins	Littleton	Noonan	Shelby	
Horne	Lybrand	Owen	Weaver	
Jones	McLain	Pelham	Wilder	
King	Malone	Register	Wilson	

—23

Nays: —0

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1111, as amended, was passed.

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1111, as amended, was ordered to its third reading.

Mr. Bailes then offered the following amendment to the Bill, H. B. 1111, as amended, to-wit:

AMENDMENT TO H. B. 1111

Amend H. B. 1111 by striking therefrom the Gilmore Amendment.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Givhan	Malone	Register	
Bailes	Hawkins	Melton	Shelby	
Clark	Jones	Noonan	Weaver	
Dozier	King	Owen	Wilder	
Fine	Littleton	Pelham	Wilson	
Foshee	Lybrand	Pierce		

—22

Nays: —0

And said Bill, H. B. 1111, as thus amended, was again read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Baker	Givhan	Melton	Shelby	
Branyon	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	

—23

Nays: —0

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1112, as amended, was passed.

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1112, as amended, was ordered to its third reading.

Mr. Bailes then offered the following amendment to the Bill, H. B. 1112, as amended, to-wit:

AMENDMENT TO H. B. 1112

Amend H. B. 1112 by striking therefrom the Gilmore Amendment.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Register
Bailes	Givhan	McLain	Shelby
Baker	Hawkins	Noonan	Weaver
Branyon	Horne	Owen	Wilder
Clark	Jones	Pelham	Wilson
Dozier	Littleton	Pierce	

—22

Nays:

—0

And said Bill, H. B. 1112, as thus amended, was again read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Fine	Jones	Pelham
Baker	Foshee	King	Pierce
Branyon	Givhan	Littleton	Shelby
Carr	Harris	McLain	Wilder
Clark	Hawkins	Noonan	Wilson

—23

Nays:

—0

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1113, as amended, was passed.

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bill, H. B. 1113, as amended, was ordered to its third reading.

Mr. Bailes then offered the following amendment to the Bill, H. B. 1113, as amended, to-wit:

AMENDMENT TO H. B. 1113

Amend H. B. 1113, by striking therefrom the Gilmore Amendment.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Givhan	Littleton	Pelham
Bailes	Hawkins	McLain	Pierce
Baker	Horne	Melton	Shelby
Carr	Jones	Noonan	Wilder
Clark	King	Owen	Wilson
Fine			

—20

Nays:

—0

And said Bill, H. B. 1113, as thus amended, was again read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Branyon	Dozier	Hawkins
Bailes	Carr	Fine	Horne
Baker	Clark	Givhan	Jones

King	Malone	Owen	Shelby	
Lybrand	Melton	Pelham	Wilder	
McLain	Noonan	Pierce	Wilson	
				—23
<i>Nays:</i>				—0

BILLS ON THIRD READING RESUMED

The Bill:

H. 1114. To amend Section 2, Act No. 312, Acts of Alabama 1959, Vol. 2, p. 889 at 890, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Baker	Foshee	Lindsey	Register	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Harris	Melton	Wilder	
Cook	Hawkins	Noonan	Wilson	
Dozier	Horne			—29
<i>Nays:</i>				—0

The Bill:

H. 516. To increase certain fees prescribed for the Secretary of State to be charged for services performed in connection with service of process in certain cases, and for such purpose to amend further Code of Alabama 1940, Title 7, Sections 192, 193 and 199, as amended; Act No. 415, S. 280, Regular Session 1959 (Acts 1959, p. 1102), as amended; Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), as amended; and Act No. 1936; H. 256, Regular Session 1971 (Acts 1971, p. 1325), all relating to such fees.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Littleton	Register	
Baker	Foshee	McLain	Shelby	
Branyon	Givhan	Melton	Vacca	
Clark	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones	Pelham		—26
<i>Nays:</i>				—0

The Bill:

H. 517. Relating to the uniform commercial code, amending Sections 9-403 through 9-407, inclusive, of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), respecting the filing of secured transactions, so as to increase the fees to be paid the filing officer for the performance of certain duties.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Pelham	
Baker	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Harris	McLain	Wilder	
Cook	Hawkins	Melton	Wilson	
Dominick	Horne	Noonan		—26
Nays:				—0

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session has compared the following enrolled Senate Bill and Senate Joint Resolutions with the original Senate Bill and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 75. To amend Act No. 803, H. 1258 of the Regular Session of 1961 (Acts of 1961, p. 1166), an Act which applies in counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized, amending such Act so as to provide further for the time and manner of commencing contest of elections and providing for the breaking of the seal on voting machines and the making of records of the count thereof when such machines are needed for subsequent elections.

Also:

S. J. R. 86—MOURNING THE DEATH OF MERVYN HAYDEN STERNE

Also:

S. J. R. 87—COMMENDING MARTIN GRIMES ON HIS EXCELLENT BOOK, "TURNIP GREENS AND SERGEANT STRIPES"

JAMES S. CLARK,
Chairman

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 518. To amend further Sections 13 and 21 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055), known as the Alabama Business Corporation Act, as heretofore amended, so as to increase the fees for filing certain statements of incorporation and amendments thereto.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Baker	Harris	McLain	Register	
Carr	Horne	Melton	Wilder	
Clark	Jones	Owen	Wilson	
Dominick	King			—21

Nays: —0

The Bill:

H. 1059. To regulate annual leave and sick leave of state merit system employees, to provide for partial payment of accrued and unused sick leave at the time of retirement of such employees.

Was read a third time at length and passed.

Yeas 29; Nays 2.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Baker	Givhan	Lybrand	Register	
Branyon	Harris	McLain	Shelby	
Carr	Hawkins	Melton	Vacca	
Clark	Horne	Noonan	Weaver	
Cook	Jones	Owen	Wilder	
Dozier	King	Pelham	Wilson	
Fine	Lindsey			—29

Nays: Messrs.: Bailes, Dominick —2

The Bill:

H. 1060. To further amend Section 9 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), as amended, which provides for payment of insurance costs by the state for employees of the state, so as to delete the maximum amount which may be expended for an individual employee's insurance.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Baker	Givhan	Lybrand	Register	
Branyon	Harris	McLain	Vacca	
Carr	Hawkins	Melton	Weaver	
Clark	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Fine	King	Owen		—30

Nays: —0

The Bill:

H. 2. To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama was taken up.

Mr. Littleton offered the following amendment to the Bill, H. B. 2, to-wit:

AMENDMENT TO H. B. 2

On page 4 of said bill, line 37, strike the figure "\$1,300,000.00" and insert in lieu thereof "\$2,639,000.00" and on line 38 of said bill strike the figure "\$1,100,000.00" and insert in lieu thereof "\$2,439,000.00"

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	King	Noonan	
Bailes	Foshee	Lindsey	Owen	
Baker	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Cook	Hawkins	Malone	Wilder	
Edington	Horne	Melton		—26

Nays: —0

Mr. Littleton then offered the following amendment to the Bill, H. B. 2, as amended, to-wit:

AMENDMENT TO H. B. 2, AS AMENDED

On page 2 of said bill, line 32, strike the figure "75.60" and insert in lieu thereof "90.00".

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon	
Bailes	Foshee	Lindsey	Owen	
Baker	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Clark	Hawkins	Malone	Wilder	
Cook	Horne	Melton	Wilson	
Dominick	Jones	Noonan		—30

Nays: —0

Mr. Littleton then offered the following amendment to the Bill, H. B. 2, as amended, to-wit:

AMENDMENT TO H. B. 2, AS AMENDED

On page 4, line 11, of said bill, strike the figure "\$110.88" and insert in lieu thereof "\$132.00".

On page 4, line 12, of said bill, strike the figure "\$83.16" and insert in lieu thereof "\$99.00".

Also:

On page 4, line 24, of said bill, strike the figure "\$3326.00" and insert in lieu thereof "\$3960.00".

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Noonan	
Bailes	Foshee	King	O'Bannon	
Baker	Gilmore	Lindsey	Owen	
Branyon	Givhan	Littleton	Pierce	
Carr	Harris	McLain	Register	
Cook	Hawkins	Malone	Wilder	
Dozier	Horne	Melton	Wilson	
				—27
Nays:				—0

And said Bill, H. B. 2, as thus amended, was then read a third time at length and passed.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Baker	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Melton	Weaver	
Dominick	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon	Wilson	
				—35
Nays:				—0

POINT OF PERSONAL PRIVILEGE

Mr. Horne requested that the Journal show that he objected to the dispensing with the reading at length of the above Bill, H. B. 2, as amended.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1061. To provide salary increases for state employees; and to appropriate funds therefore.
was taken up.

Mr. Noonan offered the following amendment to the Bill, H. B. 1061, to-wit:

AMENDMENT TO H.B. 1061

In the synopsis delete the word "all" in the sixth line where it appears between the words "for" and "state" and insert in lieu thereof the word certain.

In the title insert the word certain in the first line of the title between the words "for" and "State"

Insert a new Section 2 as follows and renumber the existing sections accordingly:

Section 2. The provisions of this act shall not apply to any merit system employee whose service or rates of pay are covered by any labor agreement or contract.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Givhan	Littleton	Pelham	
Baker	Harris	Lybrand	Pierce	
Branyon	Hawkins	McLain	Register	
Carr	Horne	Malone	Vacca	
Clark	Jones	Melton	Wilder	
Dozier	King	Noonan	Wilson	
Edington				—28

Nays:

—0

And said Bill, H. B. 1061, as thus amended, was then read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Bailes	Gilmore	Littleton	Pelham	
Baker	Givhan	Lybrand	Pierce	
Branyon	Harris	McLain	Register	
Carr	Hawkins	Malone	Shelby	
Clark	Horne	Melton	Weaver	
Dozier	Jones	Noonan	Wilder	
Fine	King	O'Bannon	Wilson	
				—31

Nays:

—0

The Bill:

H. 118. To authorize and permit teachers who have retired under the Teachers' Retirement Act to perform duties in the Public schools of Alabama and any state supported institution of higher learning when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor and to repeal Act No. 738 of the 1969 Regular Session of the Legislature.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Dozier	Lindsey	Pierce	
Baker	Edington	Lybrand	Register	
Branyon	Fine	McLain	Shelby	
Carr	Givhan	Melton	Wilder	
Clark	Hawkins	Noonan	Wilson	
Cook	Horne	O'Bannon		—26

Nays:

—0

The Bill:

H. 120. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended, to provide for the addition of one member of the Ala-

bama Retired Teachers' Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, H. B. 120, to-wit:

JUDICIARY COMMITTEE
SUBSTITUTE FOR HB 120

A BILL
TO BE ENTITLED
AN ACT

To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended to provide for addition of 3 additional members of the Teachers' Retirement System to the Board of Control of the Teachers' Retirement System and one member of the Alabama Retired Teachers' Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 367 of Title 52 of the Code of Alabama 1940 as amended, by and is hereby amended to read as follows:

Section 367. ADMINISTRATION. (1) The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of this chapter are hereby vested in a board of trustees which shall be known as the Board of Control and shall be organized immediately after a majority of the trustees provided for in this section shall have qualified and taken the oath of office.

(2) The Board shall consist of eleven trustees as follows:

(a) The State Superintendent of Education, ex-officio.

(b) The State Treasurer, ex-officio.

(c) The State Director of Finance, ex-officio.

(d) The Executive Secretary of the Alabama Education Association, ex-officio.

(e) Seven members of the Retirement System, one of whom shall be a retired member of the Retirement System. Of the seven members of the Retirement System, one shall be a City or County superintendent, one shall be a principal, one shall be a member from post-secondary education and three shall be teachers, all of whom shall be elected by the members of the Retirement System as follows:

Teacher Place No. 1 for term of 3 years beginning July 1, 1974.

Teacher Place No. 2 for term of 3 years beginning July 1, 1974.

Teacher Place No. 3 for term of 2 years beginning July 1, 1974.

and thereafter each teacher according to place number shall be elected for 3 year terms, according to such rules and regulations as the Board of Control shall adopt to govern such elections. City or County superintendent and principal shall be elected for three year terms and

such terms and method of election are not changed by this Act. The member from post Secondary Education shall be elected by members of the Retirement System for three year term beginning July 1, 1974 and thereafter shall be elected for three year term in accordance with rules and regulations as the Board of Control may adopt. The retired member shall be elected by the members of the Alabama Retired Teachers' Association and shall be done at the annual convention of the Alabama Education Association. The Alabama Retired Teachers' Association shall be responsible for the election of the member and certify to the Board of Control the results of such election. The first election of the retired member shall be held at the 1974 annual convention of the Alabama Education Association and after certification to the Board of Control shall serve for a term of three years as all other elected members of the Board of Control serve. The terms of this office shall begin after they have qualified and taken the oath of office.

The Board of Control of the Teachers' Retirement System together with the officers of the Alabama Education Association shall provide for the election of the six members to be elected by the members of the Retirement System at the annual convention of the Alabama Education Association.

(3) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

(4) The trustees shall serve without compensation for their services as trustees but they shall be reimbursed from the expense fund for all necessary expenses that they may incur through service on the Board of Control.

(5) Each trustee shall, within ten days after his appointment or election, take an oath of office that, so far as it devolves upon him, he will diligently and honestly administer the affairs of the Board of Control and that he will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the retirement system. Such oath shall be subscribed to by the member making it, certified by the officer before whom it is taken, and immediately filed in the office of the Secretary of State.

(6) Each trustee shall be entitled to one vote in the Board of Control. Six votes shall be necessary for a decision by the trustees at any meeting of said Board. In case of a tied vote the decision shall fail.

(7) Subject to the limitations of this chapter the Board of Control shall from time to time establish rules and regulations for the administration of the funds created by this chapter and for the transaction of its business.

(8) The Board of Control shall elect from its membership A Chairman and by a majority vote of all the members shall elect a Secretary-Treasurer who shall serve as Chief Executive officer of the Retirement System. In addition thereto the Board of Control may engage such actuarial and administrative officers and other special services as shall be deemed necessary to transact the business of the Retirement System. The compensation and expenses of these actuarial and administrative officers and other special services shall be paid at such rates and in such amounts as the Board of Control shall approve. All other employees not in these categories of employment shall be employed under the provisions of the Merit System Act.

(9) The Board of Control shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the retirement system, and for checking the experience of the system.

(10) The Board of Control shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the retirement system for the preceding school year, the amount of the accumulated cash and securities of the system and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

(11) The Attorney General of the state shall be the legal adviser of the Board of Control.

(11½) The Board of Control shall designate a Medical Board to be composed of three physicians not eligible to participate in the retirement system. If required, other physicians may be employed to report on special cases. The Medical Board shall arrange for and pass upon all medical examinations required under this chapter, and shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the Board of Control its conclusions and recommendations upon all matters referred to it.

(12) The Board of Control shall designate an actuary who shall be the technical adviser of the Board of Control on matters regarding the operation of the funds created by the provisions of this chapter, and shall perform such other duties as are required in connection therewith.

(13) Immediately after the establishment of the retirement system the actuary shall make such investigation of the mortality, service, and compensation experience of the members of the system as he shall recommend and the Board of Control shall authorize, and on the basis of such investigation he shall recommend for adoption by the Board of Control such tables and such rates as are required in Sub-section (14), paragraphs (a) and (b), of this section. The Board of Control shall adopt tables and certify rates, and as soon as practicable thereafter the actuary shall make a valuation based on such tables and rates, of the assets and liabilities of the funds created by this chapter.

(14) In the year 1943, and at least once in each five-year period thereafter, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement system, and shall make a valuation of the assets and liabilities of the funds of the system and taking into account the results of such investigation and valuation, the Board of Control shall:

(a) Adopt for the retirement system such mortality, service and other tables as shall be deemed necessary;

(b) Certify the rates of contribution payable by the state under the provisions of this chapter.

(15) On the basis of such tables as the Board of Control shall adopt, the actuary shall make an annual valuation of the assets and liabilities of the funds of the system created by this chapter.

Section 2. All laws or parts of law which conflict with the provisions of this Act shall have no effect on the provisions of this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Fine	Jones	O'Bannon	
Bailes	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Clark	Givhan	Lybrand	Wilder	
Cook	Hawkins	Melton	Wilson	
Dominick	Horne	Noonan		—22

Nays:

—0

And said Bill, H. B. 120, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Bailes	Gilmore	Lindsey	Pierce	
Baker	Givhan	Lybrand	Register	
Branyon	Harris	McLain	Shelby	
Clark	Hawkins	Melton	Vacca	
Dozier	Horne	Noonan	Wilder	
Edington	Jones	O'Bannon	Wilson	
Fine				—28

Nays:

—0

BILL RECONSIDERED

On motion of Mr. Dozier, the Senate reconsidered the vote by which the Bill, H. B. 2, as amended, was passed.

On motion of Mr. Dozier, the Senate reconsidered the vote by which the Bill, H. B. 2, as amended, was ordered to its third reading.

Mr. Dozier then offered the following amendment to the Bill, H. B. 2, as amended, to-wit:

AMENDMENT TO H. B. 2, AS AMENDED

In Section 1 of the bill at the end of paragraph (c) of Section 366, Title 52, Code of Alabama, as amended, insert as a part of such section the following additional paragraph:

(d) Any person who is presently covered or is eligible to be covered under the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama and who, prior to such coverage or eligibility for coverage, served as head of any Alabama county's public library service department, shall have credited to him or her one year of creditable service for each year served as such head not to exceed twelve years; provided such person shall pay into the Retirement System the employee's part of the cost or contribution based on the salary paid to such person during the time of his or her service in the above capacity, with such cost or contribution to be calculated at the percent or rate in effect at the time of the passage of this Act.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Baker	Carr	Cook
Bailes	Branyon	Clark	Dozier

Edington	Hawkins	Lybrand	Pelham	
Fine	Horne	McLain	Pierce	
Foshee	Jones	Melton	Register	
Gilmore	King	Noonan	Wilder	
Givhan	Lindsey	O'Bannon	Wilson	
Harris	Littleton	Owen		—30
<i>Nays:</i>				—0

And said Bill, H. B. 2, as thus amended, was again read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Fine	Lybrand	Pierce	
Baker	Foshee	McLain	Register	
Branyon	Givhan	Melton	Shelby	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Lindsey			—29
<i>Nays:</i>				—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Ellis, Doss, Boles, Hughes, Dill, Timmons, Wallace, McMillan, Erderich, Falkenberg, Weeks, Boutwell, McNair, Meeks, Gafford and Bowers:

H. 2147. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 300,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2147. To the Committee on Local Legislation No. 2.

RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

S. R. 113. RESOLVED BY THE SENATE That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business.

Page No.

1. H. B. 114	127 POW Bill
2. H. B. 388	50 Ad Valorem exemption for 65 and older
3. H. B. 1138	189 Industrial Site Development
4. H. B. 1136	187 Industrial Site Development
5. H. B. 1273	197 Workmen's Compensation
6. H. B. 1259	119 Unemployment Compensation
7. H. B. 418	186 Alabama Turnpike Authority
8. H. B. 692	191 Alabama Turnpike Authority
9. H. B. 693	192 Alabama Turnpike Authority
10. H. B. 805	229 Insurance Premium Tax Deduction
11. H. B. 269	53 State Docks
12. H. B. 270	54 State Docks
13. H. B. 1258	118 Board of Appeals
14. H. B. 1151	184 Licensing insurance premium for finance companies
15. H. B. 669	194 Amends escheat bill for travelers
16. H. B. 633	Optometry Bill
17. H. B. 316	69 Chiropractor Bill
18. H. B. 317	69 Chiropractor Bill
19. H. B. 399	152 Jake Jordan Bill
20. H. B. 341	175 Governor's Mansion Advisory Board
21. H. B. 342	175 Governor's Mansion Advisory Board
22. H. B. 324	171 Walker County Junior College
23. H. B. 326	172 Marion Institute
24. H. B. 325	172 Lyman Ward
25. H. B. 112	171 Tuskegee Institute
26. H. B. 1591	224 Strip Mining Bill
27. H. B. 979	192 Truck Weighing Bill
28. H. B. 757	154 Issuance of Search Warrants
29. H. B. 756	204 Youth Services Act
30. H. B. 1675	225 Cosmetology Bill
31. H. B. 653	142 Designating Supernumerary Circuit Judges
32. H. B. 329	173 Highway Budget
33. H. B. 330	173 Highway Budget
34. H. B. 1345	234 Public School Bond Issue
35. H. B. 874	96 Railway Police Act
36. H. B. 1132	193 Allows insurance companies to apply capital surplus to reduction of deficit
37. H. B. 1571	206 Conditional appropriation, land—UAB
38. H. B. 286	243 Per Diem State Law Enforcement

Mr. Bailes offered the following substitute for the Resolution, S. R. 113, to-wit:

SUBSTITUTE FOR S. R. 113

RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business, upon reaching bills on third reading, for the Thirty-third Legislative Day only.

- | | |
|--------------|----------------------------------|
| 1. H. B. 617 | 151 Water Improvement Commission |
|--------------|----------------------------------|

INDUSTRY EXEMPTION—AIR & WATER POLLUTION CONTROL

2. H. B. 1211	114	
3. H. B. 1212	113	
4. H. B. 1213	113	
5. H. B. 1214	112	
6. H. B. 1215	112	
7. H. B. 1216	112	
8. H. B. 203	81	Insolvent Insurers
9. H. B. 1026	95	Receivership division in Department of Insurance
10. H. B. 1316	185	Investments—State Insurance Fund
11. H. B. 805	229	Insurance dividends, domestic & foreign Corps
12. H. B. 1132	193	Allows insurance companies to apply capital surplus to the elimination or reduction of deficit
13. H. B. 200	46	Blue Cross Reorganization bill
14. H. B. 1536	185	Stock Yard prompt payment bill
15. H. B. 608	130	Photographic Drivers license
16. H. B. 1138	189	Industrial Site Developments
17. H. B. 653	152	

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 960. Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the pari-mutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provisions of the act; to provide for the refinancing or retirement of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed

the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bills:

H. 1081. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 111. Relating to counties having a population in excess of 600,000 inhabitants; providing that automotive parts businesses, antique dealers, flea markets, gift shops, and shops operated at hospitals, public parks, public airports, public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday.

Also:

H. 1061. To provide salary increases for certain state employees; and to appropriate funds therefor.

Also:

H. 1049. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal Census.

Also:

H. 1048. Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of accounting information by all local units of government in such counties; to establish what such information should include; to set a date for the commencement of such reporting system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

Also:

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended relating to Courts of General Sessions of Mobile.

Also:

H. 635. To amend Title 13, Section 199(2), Code of Alabama, 1940, (Recompiled 1958), as last amended, fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Also:

H. 639. To fix the compensation of the deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof.

Also:

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

Also:

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Act No. 461, H. 76, Regular Session 1943, (Acts 1943, p. 423) shall apply to and govern procedures in such courts.

Also:

H. 1526. Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to appointments on the Alabama Mental Health Board.

Respectfully submitted
HARRY L. PENNINGTON
Executive Secretary

August ———, 1973

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Alabama Mental Health Board:

Doctor C. A. Lightcap, Mobile, Alabama—From the 6th Congressional District—for the term expiring September 30, 1978—succeeding Dr. Paul Burleson, whose term expires September 30, 1973.

Doctor Winston Edwards, Wetumpka, Alabama—From the 4th Congressional District—succeeding Mr. Ed T. Hyde, term expired—for the term expiring September 30, 1978.

As these appointments must be confirmed by your Body, I am transmitting them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE
Governor

AUGUST 28, 1973.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments on the Alabama Mental Health Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Manley and Pruitt:

H. 2071. Relating to counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in certain jails of such counties, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act.

Also:

By Messrs. Doss, Erdreich, Falkenburg, McMillan, Ellis, Boles, Hughes, Wallace, Timmons, Meeks, McBride, Waggoner, McNair, Boutwell and Adwell:

H. 2246. To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the police department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees: and to render said Act No. 502 inapplicable to said certain presently active employees and their dependants".

With notice and proof thereto attached and herewith exhibited as follows:

Notice Is Hereby Given Of Intention To Apply At The Regular Session Of The Legislature Of Alabama Of 1973 For The Adoption Of An Act Which Will Be As Follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 entitled "AN ACT TO PROVIDE A SEPA-

RATE RETIREMENT AND RELIEF SYSTEM FOR CERTAIN OF THE PRESENTLY ACTIVE EMPLOYEES OF THE CITY OF BIRMINGHAM WHO ENTERED THE SERVICE OF THE POLICE DEPARTMENT OF SAID CITY PRIOR TO SEPTEMBER 19, 1939, AND TO WHOM IS APPLICABLE THE PENSION AND RELIEF SYSTEM PROVIDED BY ACT NO. 502 OF THE REGULAR SESSION OF THE LEGISLATURE OF 1923, AS REENACTED AND AMENDED: TO INCLUDE IN SAID SEPARATE SYSTEM DEPENDENTS OF SAID PRESENTLY ACTIVE EMPLOYEES: AND TO RENDER SAID ACT NO. 502 INAPPLICABLE TO SAID CERTAIN PRESENTLY ACTIVE EMPLOYEES AND THEIR DEPENDENTS".

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955 approved September 9, 1955, be amended to read as follows:

"Section 2. Definitions.—The following words, terms and phrases, wherever used in this act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City": The City of Birmingham.

"The 1923 system": The pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, whether as originally enacted or as re-enacted or amended.

"The System": The retirement and relief system established by this act.

"In the service": In the service of the City as a member (other than a reserve force member) of its police department or as a jail warden before, on or after the effective date of this act.

"Salary": Money remuneration, including longevity pay, less the exclusions hereinafter enumerated, of a qualified employee for time in the service. Salary within the meaning of this Act shall not include over-time pay or compensation for extra work in addition to regular pay or salary, nor cash payments in lieu of vacation.

"Payroll period": A period of time for which a payment of salary is ordinarily made.

"Earnable daily rate": Monthly rate of salary for time in the service divided by thirty.

"Salary days": Such number of days of a payroll period as equals the actual amount of salary paid to or for, or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

"Paid membership time": The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three Hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

"Prior service time": Time of a member of the system in the service prior to the effective date of this act, or as a member brought under this Act by amendment prior to the effective date of such amend-

ment, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

"Creditable time": The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

"Final average salary": The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of two years of consecutive creditable time as may be most favorable to him, divided by twenty four; provided, however, that if because of fault, misconduct or inefficiency upon his part a member of the system shall have been demoted more than two years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within two years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the two years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by twenty four; and provided, further, that a member of the system shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deduction from salary under Section 3 of this act.

"Beneficiary": One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

"Severance nominee": One designated as such under Section 9 of this act.

"The Comptroller": The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

"The board": The board of managers provided for by Section 15 of this act for the administration, management and control of the system.

Section 2. That Section 6 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 6. Retirement Allowances.—(a) Any member of the system who shall be now or hereafter of the age of sixty or more years, and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subsection (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subsection of this section shall be two percentum (2%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed

thirty years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty percent (60%) of his final average salary. The amount of any retirement allowance under this subsection of this section shall commence to accrue at date of retirement, (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to two percentum (2%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty percentum (60%) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct of his separation. (c) The board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth ($\frac{1}{4}$ th). (d) Subject to the provisions of subsections (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service, he shall again become a member of the system under the terms of this act and shall again contribute to the treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least two consecutive years while he was employed in the service of the city. No benefit shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to forty five percentus (45%) of the retirement allowance the deceased employee was receiving when he died, or forty five percentus (45%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse, and (2) if there is no spouse

eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed. The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) To the employee's spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child, shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian, or to the person who has custody of said child, for the use and benefit of said child, provided, however, if such child may legally accept payment of such allowance, it shall be paid to him. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g) above, shall commence to accrue on and the rights of the spouse and shall continue to accrue until the surviving spouse's death. (i) Anything hereinabove to the contrary notwithstanding any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to two percent (2%) of his final average salary multiplied by his number of years of creditable time in excess of thirty. Provided further, however, that the total percent that any employee may receive shall not exceed seventy (70%) percent. (j) The rights of any person heretofore or hereafter retired from the service shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of the spouse and dependents of such deceased retired person and the rights of the spouse and dependents of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of the death of such deceased person and the foregoing provisions of this subsection (j) shall control over anything heretofore or hereafter in the system which may be construed to the contrary.

Section 3. That Section 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the Treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time; and the amount of such disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as an "ordinary disability allowance". (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, then in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to seventy per centum (70%) of that amount of his monthly salary from which deductions are being made hereunder at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'extraordinary disability allowance', but no disability allowance shall be made by the board under this subdivision of this section after thirty-six months after the accident resulting in such disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within thirty-six months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may in its discretion continue him on the disability roll until such time as in the judgement of the board he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no employee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allow-

able or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, should resume active duty within a time limit of thirty-six months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of thirty-six months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned salary for the purpose of deductions from salary under Section 3. (g) Anything herein to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1973, shall be payable at the rate provided for by statute in effect at the time of the commencement of such disability".

Section 4. The provisions of this Amendatory Act are severable. If any part of the Act is declared invalid, unconstitutional or improperly included therein, such declaration shall not affect the part or parts which remain.

Section 5. This Act shall become effective October 1, 1973, upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of July 28, August 4, 11, 18, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 20th day of August, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Doss, Erdreich, Falkenburg, McMillan, Ellis, Boles, Hughes, Wallace, Meeks, Timmons, McBride, Waggoner, McNair, Boutwell and Adwell:

H. 2247. To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City Of Birmingham Who Entered The Service Of The Fire Department of Said City Prior To September 19, 1939, And To Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The Legislature Of Alabama, As Amended, And Act Number 22 Of The Second Special Session Of The Legislature of Alabama Of 1956, To Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply in the Regular Session of the Legislature of Alabama of 1973 for the adoption of an Act which will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City Of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And To Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of The Second Special Session Of The Legislature Of Alabama Of 1956, To Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Alabama Acts, 1966 Special Session, Page 280 et seq.) be amended to read as follows:

"Section 2. Definitions.—The following words, terms and phrases, wherever used in this act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City": The City of Birmingham.

"The System": The retirement and relief system established by this act.

"In the service": In the service of the City as a member of its fire department before, on or after the effective date of this act.

"Salary": Money remuneration, including longevity pay, for time in the service.

"Payroll period": A period of time for which a payment of salary is ordinarily made.

"Earnable daily rate": Monthly rate of salary for time in the service divided by thirty.

"Salary days": Such number of days of a payroll period as equals the actual amount of salary paid to or for, or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

"Paid membership time": The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

"Prior service time": Time of a member of the system in the service prior to the effective date of this act, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

"Creditable time": The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

"Final average salary": The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of two years of consecutive creditable time as may be most favorable to him, divided by twenty-four; provided, however, that if because of fault, misconduct or inefficiency upon his part a member of the system shall have been demoted more than two years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within two years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the two years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by twenty-four; and provided, further, that a member of the system shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deduction from salary under Section 3 of this act.

"Beneficiary": One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

"Severance nominee": One designated as such under Section 9 of this act.

"The comptroller": The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

"The board": The board of managers provided for by Section 15 of this act for the administration, management and control of the system."

Section 2. That Section 6 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Alabama Acts, 1966, Special Session Page 280 et seq.) be amended to read as follows:

"Section 6. Retirement Allowances.—(a) Any member of the system who shall be now or hereafter of the age of sixty or more years, and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subsection (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subsection of this section shall be two percentum (2%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed thirty years of his creditable time, but in no event shall monthly retirement allowance exceed sixty (60%) per cent of his final average salary. The amount of any retirement allowance under this subsection of this section shall commence to accrue at date of retirement. (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty (60%) per centum of his final average salary. Anything hereinable to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntarily retirement or dismissal of such person the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct to his separation. (c) The board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth ($\frac{1}{4}$ th). d. Subject to the provisions of subsections (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be reemployed in the service, he shall again become a member of the system under the terms of this act and shall again contribute to the treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the

same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least two consecutive years while he was employed in the service of the city. No benefits shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to forty-five per centum (45%) of the retirement allowance the deceased employee was receiving when he died, or forty-five per centum (45%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children, shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed. The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) To the employee's spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child, shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse, then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian of, or to the person who has custody of said child, for the use and benefit of said child provided, however, if such child may legally accept payment of such allowance, it

shall be paid to him. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g) above, shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death. (i) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to two percent (2%) of his final average salary multiplied by his number of years of creditable time in excess of thirty." Provided further, however, that the total percent that any employee may receive shall not exceed seventy (70%) per cent. (j) The rights of any person heretofore or hereafter retired from the service shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of the spouse and dependents of such deceased retired person and the rights of the spouse and dependents of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of the death of such deceased person and the foregoing provisions of this subsection (j) shall control over anything heretofore or hereafter in the system which may be construed to the contrary.

Section 3. That Section 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966, (Ala. Acts, 1966 Special Session, page 280 et seq.) be amended to read as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the Treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, and the amount of such disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as an "ordinary disability allowance". (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, then in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to seventy per centum (70%) of that amount of his monthly salary from which deductions are being made hereunder at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'extraordinary disability allowance', but no disability allowance shall be made by the board under this subdivision of this section after thirty-six months after the accident resulting in such disability, or if such accident occurred while

the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within thirty-six months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may in its discretion continue him on the disability roll until such time as in the judgment of the board he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no employee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purpose of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, should resume active duty within a time limit of thirty-six months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of thirty-six months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned salary for the purpose of deductions from salary under Section 3 of this Act, or under Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, whichever is applicable. (g) Anything herein to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1973, shall be payable at the rate provided for by statute in effect at the time of the commencement of such disability."

Section 4. The provisions of this Amendatory Act are severable. If any part of the Act is declared invalid, unconstitutional or improperly included therein, such declaration shall not affect the part or parts which remain.

Section 5. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of July 28, August 4, 11, 18, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 20th day of August, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Mr. Barron:

H. 2056. To grant the county governing bodies covered in this Act the authority to raise additional costs and fees to be charged by the Judges of Probate, Sheriffs, the Registers in Equity, the Deputy Registers of the Domestic Relations Division of the Circuit Courts and the Clerk of the County Courts, for the filing, recording, issuance and service of legal papers in all counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the last or any subsequent federal census; and providing for the disposition of such additional costs and fees.

Also:

By Messrs. Barron, Taylor, Jones (F) and Hobbie:

H. 2231. To amend Title 13, Section 125(75d), Code of Alabama, as amended relating to the payment of supplemental salaries by Montgomery County to deputy district attorneys in the fifteenth judicial circuit.

Also:

By Mr. Hobbie:

H. 2248. To amend Section 7 of Act No. 283, S. 220, Third Special Session 1971 (Acts 1971, p. 4557), an act providing for the incorporation of an authority in any municipality having a population of not less than 70,000 nor more than 135,000 for the purpose of promoting aviation and providing airport facilities for such cities and for the counties in which such cities lie; so as to provide further for the qualifications of the directors of the corporation.

Also:

By Messrs. Taylor, Hobbie and Jones (F):

H. 2253. Relating to every city which has a population of not less than 125,000 or more than 133,000 inhabitants, according to the last decennial census; providing for an employee's retirement system for the cities covered under this Act which shall be in lieu of any existing acts or ordinances relative to any retirement system for the employees of said city.

Also:

By Mr. Reed (T):

H. 1861. Relating to Macon County, to amend Act No. 814, H. 1046, Regular Session 1969 (Acts 1969, p. 1465) so as to raise the fee for issuance of pistol permits by the sheriff and to further provide for the distribution and use of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Macon County, to amend Act No. 814, H. 1046, Regular Session 1969 (Acts 1969, p. 1465) so as to raise the fee for issuance of pistol permits by the sheriff and to further provide for the distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 2 of Act No. 814, H. 1046, Regular Session 1969 (Acts 1969, p. 1465) are hereby amended to read as follows:

"Section 1. In Macon County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be eight dollars (\$8.00), and shall be collected by the sheriff.

"Section 2. Three dollars of each fee so collected shall be deposited in the general fund of Macon County, and five dollars shall be deposited into a fund to be designated The Sheriff's Fund, to be used by the sheriff for the betterment of law enforcement within the county."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1973.

NEIL O. DAVIS.

Sworn to and subscribed before me August 2, 1973.

ALICE M. WHITE,
Notary Public.

Also:

By Messrs. Stewart, Merrill and Burgess:

H. 2107. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

Also:

By Mr. May:

H. 2172. To provide that any town of the state having a population of not less than 1,570 and not more than 1,625 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such town to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Also:

By Messrs. Robertson and Culver:

H. 2182. To authorize employees of any county having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census, and employees of any municipality within such county to join a labor union; to provide that no employer shall require such employee to abstain or refrain from membership as a condition of employment and to provide damages.

Also:

By Mr. Parker:

H. 2207. Relating to any county having a population of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; regulating further the compensation of each bailiff of the circuit court.

Also:

By Messrs. Parker and Culver:

H. 2191. Relating to any county having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to further regulate the compensation and expense allowances of each member of the county governing body.

Also:

By Mr. May:

H. 2186. Relating to the boards of registrars in counties having populations of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing an additional expense allowance for the members of such boards.

Also:

By Mr. Headley:

H. 2212. To further amend Section 1 of Act No. 186, H. B. 241, First Special Session 1964 (Acts 1964, p. 252), as amended, which act regulates the pay of jurors in any county having a population of not less than 25,150 nor more than 26,500 inhabitants according to the most recent federal decennial census, so as to further regulate the compensation of such jurors.

Also:

By Mr. Edwards:

H. 2223. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 24,000 and not more than 24,800 according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2071, 2056, 2231, 2248, 2253, 1861, 2107, 2172, 2182, 2207, 2191, 2186, 2212 and 2223. To the Committee on Local Legislation No. 1.

H. B.'s 2246 and 2247. To the Committee on Local Legislation No. 2.

(The above Bill, H. B. 2107, was read a first time at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Jones (F):

H. 125. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 125. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Edwards:

H. 2224. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census.

Also:

By Mr. Snell:

H. 2225. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

Also:

By Mr. Kinsey:

H. 2226. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In lieu of any chief deputy sheriff, deputy sheriffs, jailers or matrons heretofore authorized by law, the sheriff of Baldwin County is hereby authorized to appoint not less than the following number of employees whose compensation shall be paid from any fund of the county treasury each month in the amounts listed below.

Number of Employees Authorized: 1; Rank: Chief Deputy; Compensation: Shall be the same as a Lieutenant in Alabama State Highway Patrol.

Number of Employees Authorized: 8; Rank: Deputies Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Sergeants; Compensation: Shall be the same as a Sergeant in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Matron; Compensation: Shall be the same as a Clerk Stenographer III in the Alabama Department of Public Safety.

Number of Employees Authorized: 1; Rank: Chief Jailer; Compensation: Shall be the same as a Corporal in State Troopers in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Jailers; Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Chief Investigator; Compensation: Shall be not less than that made by an Alabama State Highway Patrol Investigator Sergeant, and not more than Alabama State Highway Patrol Investigator Lieutenant; between said limitations, the sheriff shall fix said employees' salary.

The Chief Deputy, Deputies, Chief Investigator, and Sergeants shall begin employment under the provisions of this act in a grade not greater than grade 4 corresponding to the rank listed opposite said position.

Section 2. All above named personnel shall be required to complete such training, schooling and inservice training as are from time to time required and prescribed by the sheriff of Baldwin County, Alabama, such training, schooling and inservice training to be paid by the county governing body.

Section 3. In addition to the compensation referred to in Section 1 of this Act all uniformed personnel of the sheriff's department shall be entitled to a uniform allowance of not less than \$250.00 per year and the prescribed uniforms shall be purchased by the department.

Section 4. In addition to the employees authorized in Section 1 of this Act the sheriff is hereby authorized to appoint as many additional special deputies as he deems necessary, which special deputies shall serve without compensation from the county treasury.

Section 5. All compensation and number of personnel shall be considered to be minimum numbers of personnel and compensation thereof and the same may be increased at the discretion of the Baldwin County Commission but shall not be decreased.

Section 6. The provisions of this Act are severable. If any part

of the Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 7. Any law or parts of laws which conflict with this Act are repealed.

Section 8. Upon the passage of this Act by the Alabama Legislature and adoption by the Governor, or its otherwise becoming law, it shall become effective October 1, 1973.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

J. H. Faulkner, Sr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of A Bill to be enacted was published in said newspaper for 4 consecutive weeks in the following issues: July 12, July 19, July 26 and August 2, 1973.

J. FAULKNER,
Editor.

Subscribed and sworn before the undersigned this 15th day of Aug., 1973.

DOROTHY MARTIN,
Notary Public, Baldwin County.

Also:

By Mr. Reid (R):

H. 2230. To alter, rearrange and extend the corporate limits of the Town of Allgood, Alabama so as to annex certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA COUNTY OF BLOUNT

Notice, is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the corporate limits of the Town of Allgood, Alabama so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the Town of Allgood, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of the Town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit: The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and

the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 13 South, Range 1 East, situated and being in Blount County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me this 16th day of August, 1973.

JANE HILL,
Notary Public.

Also:

By Mr. McCluskey:

H. 2237. Relating to Talladega County; exempting said county from the provisions of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), requiring the registration and licensing of barbers and barber apprentices.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Talladega County; exempting said county from the provisions of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), requiring the registration and licensing of barbers and barber apprentices.

Be It Enacted by the Legislature of Alabama:

Section 1. Hereinafter Talladega County shall be exempt from the provisions of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), requiring the registration and licensing of barbers and apprentices.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles H. Greer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sylacauga News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 6, all in the year 1973.

CHARLES H. GREER.

Sworn to and subscribed before me August 6, 1973.

LEE D. GREER,
Notary Public.

Also:

By Mr. McCluskey:

H. 2238. To relieve the probate judge of Talladega County of any liability concerning payments mistakenly made under the supposed authority of a repealed Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To relieve the probate judge of Talladega County of any liability concerning payments mistakenly made under the supposed authority of a repealed act.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Talladega County is hereby relieved of any liability which exists or may arise as a result of the payment out of county funds under the supposed authority of Act No. 926, H. 1335, Regular Session 1969 (Acts 1969, p. 1665) after said Act was repealed by Act No. 2008, H. 2346, Regular Session 1971 (Acts 1971, p. 3247).

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles H. Greer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sylacauga News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 30, August 6, August 13, and August 20, all in the year 1973.

CHARLES H. GREER.

Sworn to and subscribed before me August 20, 1973.

LEE D. GREER,
Notary Public.

Also:

By Mr. Coshatt:

H. 2243. To amend and reenact Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), which act provides for a Personnel Appeals Board for employees of St. Clair County and certain cities therein; so as to eliminate the provisions for employees of said cities within said county; to provide that the city representative to such board be eliminated and in lieu thereof let the St. Clair Hospital Board appoint a member to said Personnel Board; to provide that a violation of this act shall constitute a misdemeanor for any person who discusses a pending case of said personnel board with any member of the board; to provide for compliance with orders of the Board and contempt punishment for failure to comply.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend and reenact Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), which act provides for a Personnel Appeals Board for employees of St. Clair County and certain cities therein;

So as to eliminate the provisions for employees of said cities within said county;

To provide that the city representative to such board be eliminated and in lieu thereof let the St. Clair Hospital Board appoint a member to said Personnel Board;

To provide that a violation of this act shall constitute a misdemeanor for any person who discusses a pending case of said personnel board with any member of the board;

To provide for compliance with orders of the Board and contempt punishment for failure to comply.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), is hereby amended to read as follows:

"An Act To provide for a Personnel Appeals Board for St. Clair County;

To prescribe the qualifications, terms, duties, and compensation of its members, and to provide rules relating to political activities by employees of St. Clair County;

To provide that it shall be a misdemeanor for any person to discuss any pending case of said Board with any member of the Board;

To provide for compliance with the orders of the Board and contempt punishment for failure to comply; and to provide for retroactive effect of this act."

Section 2. Sections 1, 2, 3, 4, 5, 7, and 12 of Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), are hereby amended to read as follows:

"Section 1. There shall be established a Personnel Appeals Board in and for St. Clair County, Alabama.

"Section 2. For the purposes of this act the following words and phrases shall have the following meanings:

"'Personnel Appeals Board' hereinafter called the Board shall mean the board created by this act.

"'County' shall mean St. Clair County.

"'County Commission' shall mean the existing county governing body or any such succeeding county governing body of St. Clair County.

"'Employee' shall mean any person regularly employed in a job or position by St. Clair County, or St. Clair County Board of Education, except those exempted in Section 3 of this act.

"Section 3. The provisions of this act shall apply to all officers and employees in the service of the county or any board, agency or instrumentality thereof except:

(a) elective officers; (b) members of appointive boards, commissions, and committees; (c) part time employees; (d) employees with less than 180 days service; (e) teachers, principals or any persons who are covered by the provisions of the teacher tenure laws of Alabama; (f) attorneys, physicians, surgeons, dentists, pharmacists, and optometrists employed by their professional capacities; (g) the judge of any court; (h) independent contractors receiving their remuneration from public funds under contracts awarded by competitive bidding.

"Section 4. No person to whom this act applies, shall be appointed or promoted to, or demoted or dismissed from any job or position with the county or in any way favored or discriminated against with respect to his employment because of his political or religious opinions or affiliations.

No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated to secure employment, promotion, increase in pay or any other advantages in employment, with the county for the purpose of influencing the vote or political action of any person or for any consideration. No employee of the county shall, directly or indirectly be required to pay any assessment for any political organization or purpose. No county employee to whom this act applies shall participate in the campaign of any candidate for county office in any capacity other than to exercise his right as a citizen to privately express his opinion and to cast his vote. Any employee of the county to whom this act applies who violates the provision of this section shall forfeit his or her position.

"Section 5. Any employee who, for any cause, has been dismissed, suspended, demoted or whose pay has been reduced, may, not less than 7 days and not more than 14 days thereafter, answer the charges made against him leading to such disciplinary action by filing a written petition, sworn to by proper affidavit and addressed to the Personnel Appeals Board, with the Clerk of said Board. Any person coming under the retroactive provisions of this act, shall have not less than 7, nor more than 21 days from the date this act becomes law for filing said petition.

Upon the filing of such a petition the Chairman of the Personnel Appeals Board shall fix a date not less than 7 nor more than 21 days thereafter for the hearing of said petition. This hearing may be public or private at the discretion of the employee.

Upon the hearing of said petition the Board shall receive all evidence in support of the disciplinary action heretofore mentioned and all evidence in support of the petition. Said Board shall render a written decision covering the issue involved, not later than 10 days following the conclusion of the hearing. The decision of the Board may uphold the disciplinary action or the Board may modify such action in any manner it deems to be just and proper, including the full reinstatement of the petitioning employee with all pay and allowances from the date of the imposition of discipline.

"In case of failure or refusal on the part of any person to comply within 30 days with any valid order of the Board, or any subpoena, or on the refusal of any witness to testify or answer as to any matter regarding which he may be lawfully interrogated, the circuit court, or any judge thereof, on application of the Board, may issue an attachment for such person and compel him to comply with such order, or to attend before the Board and produce such documents and give his testimony upon such matters as may be lawfully required, and the court or judge shall have power to punish for contempt as in cases of disobedience of a like order or subpoena issued by or from such court, or a refusal to testify therein.

"Section 7. There shall be created the Personnel Appeals Board which shall be composed of five members. One member shall be appointed by the County Commission, one member shall be appointed by the County Board of Education, one member shall be appointed by the St. Clair Hospital Board, one member shall be appointed by the Circuit Judge of the thirtieth Judicial Circuit or such Judicial Circuit as St. Clair County may hereafter become a part and one member shall be appointed by the legislative delegation representing St. Clair County in the Alabama Legislature. One of the members originally so appointed shall serve for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years and one for a term of six years.

The original members of the Board so appointed shall draw lots to determine the length of terms each shall serve. Thereafter all members shall serve for terms of six years each and until their respective successors are appointed as specified above. Any member of the Board whose term shall expire shall be eligible for reappointment.

"No person shall be appointed to the Personnel Appeals Board unless he is over twenty-five years of age, is of recognized character and ability, and is an actual resident in and qualified elector of the county. No person shall be eligible to appointment or shall continue to be a member of the Board who holds an elective office under the state, county, or any municipality therein, or who is a candidate for elective office.

Vacancies on the Board shall be filled for unexpired terms in the same manner as original appointments are made. The Board shall elect a chairman from among its members, who shall preside at its meetings, and any three members shall constitute a quorum for the transaction of any business which may properly come before the Board. Each person so appointed shall, within fifteen days after appointment, qualify by making oath that he will faithfully execute the duties of office to the best of his ability and knowledge, which oath shall be recorded as provided by law. The Board shall adopt reasonable rules regulating the procedure of said Board. Notice of all meetings of the Board shall be given to each member by the Clerk of the Board.

"Section 12. Any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and any person who discusses with a board member any case that is pending before the board, from the time a petition for hearing has been filed until a final written decision is rendered, shall be guilty of a misdemeanor."

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the St. Clair Observer a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me August 16, 1973.

ANNE T. MILAM,
Notary Public.

Also:

By Messrs. Bank, Robertson, Parker and Culver:

H. 2245. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, vol. 2), as last amended, is hereby amended to read as follows:

"Section 7. Said Firemen's and Policemen's Pension and Relief Fund shall be derived, obtained, and created as follows: A. From the salary of each fireman and each policeman there shall be deducted,

and paid into said fund, an amount equal to six per centum of the amount of such salary. Provided that whenever a member of the fire or police department of such city is ineligible to participate in the benefits of such fund by reason of the provisions of this Act, neither such ineligible member nor his salary nor other compensation shall be subject to any assessment for the benefit of such fund. B. Each fire insurance company, including mutual and industrial fire insurance companies, qualified to do business under the laws of Alabama, and doing business in such city, shall annually and on or before the first day of March of each year hereafter, pay into said Firemen's and Policemen's Pension and Relief Fund, a sum equal to one and one-half per centum of the gross premiums, less return premiums, received by such fire insurance company for and on account of business, including all renewals of fire insurance, done by it in the city, during the preceding calendar year; and it shall be unlawful for any such fire insurance company or its agent, to take or receive any premium for insurance against fire within the city unless such fire insurance company shall pay, at the time aforesaid, to the said Firemen's and Policemen's Pension and Relief Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating any of the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Thousand Dollars, to be recovered against such fire insurance company so violating said provisions, or its agent, by suit brought in the name of the city for the use of such fund. Each person, firm, or corporation, which conducts a fire insurance agency or brokerage business in such city, shall annually, within the first ten days of each

year, make and file a sworn statement, in writing, with the city clerk of such city, as treasurer of such fund, giving the name and address of each fire insurance company which such person, firm or corporation represented or did business for, as agent or broker, during the preceding year; and any such person, firm or corporation conducting any such fire insurance agency or brokerage business in such city, violating the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Hundred Dollars to be recovered against such person, firm or corporation, so violating such provisions, by suit brought in the name of such city for the use of such fund and all such forfeitures and penalties provided for herein, when collected, shall be and become a part of said Firemen's and Policemen's Pension and Relief Fund. Provided, however, that the said sum equal to one and one-half per centum of gross premiums, less return premiums required by this paragraph of this section to be paid by fire insurance companies into said Firemen's and Policemen's Pension and Relief Fund shall be treated and held to be a part of the maximum of four per cent on each one hundred dollars, or major fraction thereof, of gross premiums, less return premiums, which any municipal corporation may by law impose upon any fire insurance company in any one year as a license or privilege tax for the privilege of doing business in such municipality during such year under Section 739 of Title 37 of the Code of Alabama of 1940 as amended or as the same may be amended. C. All firemen and policemen shall promptly pay into such fund all witness fees in criminal cases, and in cases in which they have been summoned by the city, received by them from any court in the county in which such city is situated, and all moneys received by them or any of them as a reward or gratuity for the apprehension of any person, the furnishing of any evidence, the recovery or saving of any property, services at any fire, or otherwise received by them for similar service or for work in the line of his duty. D. There shall be paid into such fund, as and when received, all liquor seizure fees received by any policeman or to which he may be entitled and all amounts received by the city from the State Alcohol Beverage Control Board for confiscated liquors and beverages delivered to it as required by law. E. The Board of Trustees may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property; and any such gift, grant, devise or bequest may be absolute or in fee simple or upon condition that only rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created. F. The governing body of the city shall cause to be paid into such fund out of the treasury of such city, an amount equal to twelve per centum of the salary of each member of such fire and police department who is eligible to participate in the benefits of such fund, such payment to be made to such fund as and when such salary becomes payable, and deduction therefrom is made as provided in this section."

Section 2. Section 11 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 11. Investment of Portion of Fund.

The Board of Trustees, after considering the probable demands upon the fund, may invest such portion of it as may be safely withdrawn for the purpose. Of that portion of the fund which the Board of Trustees has determined to be available for investment, not less than fifty per cent (50 per cent) shall be invested, or held for investment, in interest bearing bond or securities of the United States of America, bonds of any state in the United States, any bonds law-

fully issued by municipalities in the United States, or invested in any insured savings and loan association to the extent that such investment is insured by the Federal Savings and Loan Insurance Corporation, or invested in any commercial bank to the extent that such investment is insured by the Federal Deposit Insurance Corporation; not exceeding fifty per cent (50 per cent) of the money deemed available for investment may be invested in corporate stocks and bonds; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in real estate loans, secured by a first mortgage thereon. All income from investments shall be and become a part of the fund. All securities belonging to the fund shall be deposited with the treasurer of the fund or, in the event that a financial agent has been employed, may be held by the financial agent and shall be subject to the direction and control of the Board of Trustees."

Section 3. Section 22 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 22. Retirement by Reason of Service and Age.

Any fireman or policeman who has been in the service of the police or fire department for as long as twenty-five (25) years without regard to his then attained age or who has been in the service of said department for as long as twenty (20) years and who has reached the age of sixty (60) years, upon application by him shall be retired and placed on the pension roll by said Board of Trustees."

Section 4. Section 23 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 23. Monthly Benefits for Temporary Disability Arising as Result of Service in Department; Retirement for Permanent Disability.

Whenever the Board of Trustees shall determine that any fireman or policeman has become temporarily disabled, mentally or physically, for service in the department of which he is a member, and that such disability arose from any injury received or accident occurring while engaged in the performance of his duty or is otherwise a direct result of his service in such department the Board of Trustees shall order that such disabled fireman or policeman be paid monthly out of such funds, during the period of such disability, a sum equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman as salary at the time of his having become so disabled; provided, that any benefits payable under this section shall be reduced by an amount equal to the amount, if any, which the beneficiary shall receive from such city as salary. The Board of Trustees shall be the sole judge of the extent and cause of any such disability and of the time when such disability has ceased to exist, and the Board's determination thereof shall be final. Whenever the Board of Trustees shall determine that such disability is, or has become, permanent, they shall retire such disabled person and place him upon the Pension Roll and pay him an initial monthly pension equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman at the time of his having become so disabled. The maximum monthly benefit payable hereunder shall be three hundred dollars (\$300), and benefits under this Section shall not be limited by Section 29 herein."

Section 5. Section 25 of Act No. 328, 1959 Regular Session (1959

Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 25. Payments to Dependents of Member.

For the purpose of this section, children of any policeman or fireman who are under the age of eighteen (18) years, and also the widow of any policeman or fireman while unmarried shall be conclusively presumed to be entirely dependent upon such fireman or policeman.

If any fireman or policeman shall, while in the performance of his duty be killed, or die as a result of any injury received in the line of his duty or shall die from any cause whatsoever as the result of his service, in such department and while in such service; or after having served in such department for more than ten years, the last five years of which were consecutive shall die from any cause while in the service or on the retired or disabled list, and shall leave a surviving spouse (if retired, to whom he was married at the time of his retirement) surviving him, and entirely dependent upon him, the Board of Trustees shall direct the payment to such surviving spouse monthly during his or her natural life, and while unmarried and entirely dependent on such payment, a sum equal to twenty-five per cent of such fireman's salary if a fireman, and twenty-five per cent of such policeman's salary if a policeman. If such fireman or policeman leaves surviving him a child or children under eighteen years of age, said Board shall direct the payment monthly from such fund to their surviving parent, whether married or unmarried, for their use and benefit, an amount equal to fifteen percent (15 per cent) of such policeman's or fireman's salary at the time of his death for each child under eighteen years of age not to exceed in the aggregate an amount equal to forty-five percent (45 percent) of such salary, so long as such child or children live with their surviving parent and are under eighteen years of age and are supported by such surviving parent. If such child or children have no surviving parent, or such surviving parent dies during the time such child or children are entitled to such benefit, such sum may be paid by the Board of Trustees to the person having control and custody of such child or children or to such other person as said Board of Trustees may direct, to be expended by such person for the benefit of such child or children as may be prescribed by said Board of Trustees. Should such deceased fireman or policeman leave no surviving spouse or child entitled to benefits as hereinabove set out, but a widowed mother entirely dependent upon him for support, said Board of Trustees shall pay to her monthly during her natural life and so long as she remains unmarried, a sum equal to twenty-five percent (25 percent) of such fireman's monthly salary, if a fireman, and a sum equal to twenty-five percent (25 percent) of such policeman's monthly salary, if a policeman. The maximum benefit payable hereunder shall be two hundred dollars (\$200) per month."

Section 6. Section 29 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 29. Limitations on Amount of Pension Benefits. Under no circumstances shall any retired fireman or policeman be paid a pension or other benefit of more than One Hundred Twenty-five Dollars (125.00) if he has contributed to the fund for less than five years, or more than One Hundred and Fifty Dollars (\$150.00) per month if he has contributed to the fund for five years and less than ten years, or more than One Hundred Seventy-five Dollars (\$175.00) per month if he has contributed to the fund for ten years and less than fifteen years, or more than Three Hundred Dollars (\$300.00) per month

if he has contributed to the fund for fifteen years or more. Provided, however, that the above Three Hundred Dollar limitation, only with regard to any fireman or policeman (including those on the retired list) who has contributed to the fund for fifteen years or more and who has twenty-five years or more of service in the department, may be increased by the Board of Trustees in such amount as an actuarial study may indicate is justified by the fund's condition. Such increase in the Three Hundred Dollar limitation, as herein authorized, shall be made by the Board of Trustees by resolution duly spread upon its Minutes, and no such increase shall be authorized unless and until an actuarial evaluation, made by some person, firm, or corporation experienced and nationally recognized in the field of actuarial evaluation, indicates the financial soundness of such increase. For the advice of the Board, such actuarial evaluation shall be requested at intervals not exceeding twenty-four (24) months."

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James B. Boone, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 30, Aug. 6, Aug. 13, and August 20, all in the year 1973.

JAMES B. BOONE, JR.

Sworn to and subscribed before me August 20, 1973.

LILLA COLLINS,
Notary Public.

Also:

By Messrs. McCorquodale and Agee:

H. 2227. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

Also:

By Mr. McDonald:

H. 2233. Relating to any county having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; regulating further the clerk hire allowance for the tax assessor and tax collector.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2224, 2225, 2226, 2230, 2237, 2238, 2243, 2245, 2227 and 2233. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (P), Mims, Warren, Benton, Kinsey, Hardin, Bassett and May:

H. 2201. To make a conditional appropriation to the Department of Agriculture and Industries.

Also:

By Messrs. Lyons, McCorquodale and Owens:

H. 263. To amend Section 2 of Act No. 160, H. 59, Third Special Session 1971 (Acts 1971, p. 4404), entitled "An Act To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama," so as to add a proviso that the Department of Revenue shall not have any authority or power to establish any rule, regulation, criteria or standard that shall require or allow any appraisal of real property to include the inside inspection of any human residence in this state.

Also:

By Mrs. Wynot:

H. 119. To provide for the retirement of teachers who are members of the Teachers' Retirement System of Alabama who have 30 years creditable service regardless of age and to modify all laws or parts of law in conflict with the provisions of this Act.

Also:

By Messrs. McCorquodale, Wynot, Cottingham, Gafford, Jackson, Agee, Wise and Lang:

H. 1677. To amend Section 29, Title 11, Code of Alabama, 1940, relating to the fees of probate judges.

Also:

By Mr. Cauthen:

H. 1464. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Spec. Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and by Act No. 117, General Acts of Alabama 1971, Third Spec. Sess., p. 4342, and to appropriate the funds for carrying out the provisions of this act.

Also:

By Mr. Grainger:

H. 1406. To permit local governmental units and boards of education and school superintendents to cooperate in order to establish and operate joint educational facilities and services, and to regulate contracts relative thereto.

Also:

By Messrs. Boutwell and McCorquodale:

H. 2029. To further identify creditable years of service under the State Employees' Retirement System.

Also:

By Mr. Timmons:

H. 1510. To provide for arbitration in order to settle disputes between policemen, firefighters and general classified employees and their public employers in any city having a population of 300,000 or more according to the most recent federal decennial census, specifically authorizing collective bargaining between policemen, firefighters and general classified employees and their public employers, and requiring compliance with collective bargaining agreements and findings of arbitrators.

Also:

By Messrs. Erdreich and Doss:

H. 2259. To amend the Title and Sections 3, 10, 11, 14 and 16 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature of Alabama, pertaining to municipal parking authorities incorporated in cities having a population of 300,000 or more according to the last or any subsequent federal census, which sections relate to the definitions set forth in said act, the powers of such authorities, the operation or leasing of parking facilities by such authorities, the bonds of such authorities and security therefor, so as to clarify and grant additional powers regarding the issuance of bonds, the security therefor, the leasing and sale of such facilities and other matters and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act as amended, notwithstanding subsequent changes in the population of the city authorizing its incorporation.

Also:

By Mr. Headley:

H. 2257. Relating to Chilton County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chilton County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Chilton County is hereby authorized to enter into contract for the purchase, lease or contractual services or other modern or updated electronic based systems for bookkeeping recording, indexing and filing of all documents, instruments and writings that are of record in the office of the probate judge, tax assessor and tax collector of said county. Said commission may provide for the microfilming of all records, documents, files, papers or other writings which are required by law to be recorded in the office of the probate judge, tax assessor or tax collector and for such projective and reading equipment as may be necessary. Such microfilms or prints therefrom when duly authenticated by the said probate judge, tax assessor or tax collector, as the case may be, shall have the same force and effect at law as the original record or of copies thereof when made by any other legally authorized means, and may be offered in like manner, and shall be received in evidence in any court where such original record or copy thereof made by other legally authorized means, could have been received in court.

Section 2. The county commission shall provide for the services, equipment and supplies necessary to implement the provisions of Section 1 of this act by either lease or outright purchase or by contractual services, whichever in the discretion of the county commission is deemed to be in the best interest of the county. The probate judge of said county shall be authorized to select the type of services to be used and to recommend and approve all contracts therefor. Because of the specialized nature of such services, all contracts therefor may be made without regard to any applicable statewide or local competitive bid law.

Section 3. All funds necessary and incidental for the implementation of this act shall be paid out of the general fund of Chilton County.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
CHILTON COUNTY**

Personally appeared before the undersigned Notary Public in and for said county and state, Tommy M. Patterson, Publisher of the Central Alabama Independent Advertiser, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of: July 25th, August 1st, August 8th, August 15th, 1973.

TOMMY M. PATTERSON,
Publisher.

Sworn to and subscribed before me this 20th day of August, 1973.

HELEN ATKINSON MOORE,
Notary Public, State at Large.

Also:

By Messrs. Bank, Culver, Robertson and Parker:

H. 2252. Applicable to any county having a population of not less than 115,000 nor more than 150,000 according to the last federal decennial census; to exempt registered nurses employed in any state tuberculosis hospital in such county from participating in the state civil service system.

Also:

By Messrs. Cauthen and Slate:

H. 2251. Relating to counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, providing for the salary of the judge of the county court of any such counties.

Also:

By Messrs. Wise and Jackson:

H. 2250. Relating to Geneva County; prohibiting the sale of alcoholic beverages in certain places.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF GENEVA**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Geneva County; prohibiting the sale of alcoholic beverages in certain places.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm or corporation to sell or offer for sale any spirituous, vinous, or malt or brewed beverages in Geneva County except within the corporate limits of an incorporated municipality with a full time law enforcement agency and a population of not less than 500 according to the most recent decennial census. Provided, however, that the provisions of this Act shall not apply to any person, firm or corporation possessing a license from the Alabama Alcoholic Beverage Control Board which allows them to sell alcoholic beverages solely for consumption off the premises.

Section 2. Any person, firm, or corporation who violates any provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 3. This Act shall become effective upon the approval of the legal sale of alcoholic beverages by the qualified voters of Geneva County.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 6th, 1973.

O. J. SPIVEY,
Notary Public.

Also:

By Mr. Reid (R):

H. 2261. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; further regulating the expense allowances of each member of the members of the county board of education.

Also:

By Messrs. Callahan and Downing:

H. 1073. To provide that Dauphin Island, located in Mobile County, be designated a bird sanctuary; providing penalties for the violation of this act.

Also:

By Mr. King:

H. 237. To amend Sections 2 and 3 of Act No. 2059, H. 862, 1971 Regular Session of the Alabama Legislature (Acts 1971, p. 3320), entitled "An Act Providing for the certification of factory-built housing;

to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder."

Also:

By Mr. Collins:

H. 943. To reenact, expand, and change the Unfair Cigarette Sales Act of 1951; to define and prohibit the unfair sales of cigarettes; to provide remedies and set forth penalties for violation; to repeal Act No. 805, S. 385, Regular Session 1951 (Acts 1951, p. 1402), and all other laws in conflict thereof.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 2201. To the Committee on Finance and Taxation.

H. B.'s 263, 119, 1464, 2029, 237 and 943. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1677. To the Committee on Military.

H. B. 1406. To the Committee on Education.

H. B.'s 1510 and 2259. To the Committee on Local Legislation No. 2.

H. B.'s 2257, 2252, 2251, 2250 and 2261. To the Committee on Local Legislation No. 1.

H. B. 1073. To the Committee on Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hardin:

H. 138. To amend Section 464 of Title 51 of the Code of Alabama of 1940 relating to license tags for automobiles so as to abolish license tag provisions for automobile dealers.

Also:

By Messrs. St. John and Stokes:

H. 1458. This bill will allow Circuit Judges on a statewide basis to appoint a temporary special court reporter when in his opinion such appointment is justified thereby allowing the official reporter time out of Court to keep his appeal case work current and not, as now, limited to sickness or other cause when the official court reporter cannot fulfill his or her function in court.

Also:

By Mr. St. John:

H. 1280. To amend Title 13, Section 262 and Section 263, Code of Alabama, 1940, as recompiled 1958, by deleting therefrom that portion relating to transcript fees of court reporters.

Also:

By Mr. St. John:

H. 1278. This is a bill increasing the salary of supernumerary court reporters as last amended by Act No. 753, S. 478, Acts of Alabama, 1967 (Vol. II, p. 1607) and to provide that when called to active court service that they be paid the same salary and in like manner as official court reporters by further amending Section 3, Act No. 817, H. 298, Regular Session 1961 providing supernumerary circuit court reporters for the State of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries.

Also:

By Messrs. Drake and St. John:

H. 244. To abolish the Office of County Solicitor of Cullman County, Alabama, and to extend the power, authority and duties of the District Attorney of the Thirty-Second Judicial Circuit to require that he prosecute or supervise the prosecution of all misdemeanors and all felonies in any and all inferior courts in said Judicial Circuit and to perform all duties heretofore performed by the County Solicitor of Cullman County, and creating the Office of Deputy District Attorney for said Judicial Circuit to be appointed and serve at the pleasure of the District Attorney; setting the qualifications and salary of said Deputy District Attorney.

Also:

By Messrs. McCluskey, Casey, Smith (P), Edwards, Callahan, Benton, Waldrop and Carnes:

H. 1217. To amend Section 170 of Act No. 407 of the Regular Session 1971, approved August 25, 1971, entitled, "An Act to provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appro-

priations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes;" so as to authorize the Commissioner of Insurance to issue licenses to non-resident persons in cases where the applicant for license is sponsored to the Department of Defense to solicit life and disability insurance from military personnel of the United States on military bases of such country outside its continental limits and within the geographical limits of jurisdictions which do not regulate the solicitation of such applications for insurance on such military bases.

Also:

By Mr. Cauthen:

H. 1465. To amend Sections 1, 2 and 4, Act No. 1593, S. 28, Regular Session 1971, relating to the duties, functions and personnel of the Department of Court Management and to provide or assist in providing continuing legal and judicial education to judges and court-affiliated personnel; and to add thereto additional sections pertaining to coordination of the administration of justice with other units of the judicial system or other units of government.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 138, 1458, 1280 and 1465. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1278. To the Committee on Finance and Taxation.

H. B. 244. To the Committee on Local Legislation No. 1.

H. B. 1217. To the Committee on Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 91. HONORING JOHN SYDNEY COOK, III.

Also:

S. J. R. 92. COMMENDING PAUL DAVIS FOR HIS OUTSTANDING WORK IN THE FIELD OF JOURNALISM.

Also:

S. J. R. 100. COMMENDING MISS GLADYS MARONA FOR A JOB WELL DONE.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Kinsey:

H. J. R. 225. COMMENDING WILLIAM B. COOPER OF ROSINTON FOR HIS DILIGENT AND DEDICATED SERVICE TO THE PEOPLE OF BALDWIN COUNTY.

Also:

By Mr. Reynolds:

H. J. R. 226. MOURNING DEATH OF GEORGE HAMMERLY COPELAND.

Also:

By Mr. Headley:

H. J. R. 227. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF MR. R. C. WILLIAMS.

Also:

By Mr. Connell:

H. J. R. 231. COMMENDING JOHN SCOTT OF THE CAPITOL SECURITY FORCE FOR HIS EXCELLENT ATTITUDE IN THE PERFORMANCE OF HIS DUTIES.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolutions, H. J. R.'s 225, 226, 227 and 231, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Jones (F), Taylor, Barron, Hobbie, and Harris:

H. J. R. 241. MOURNING THE DEATH OF MRS. IRENE WELCH OF MONTGOMERY

WHEREAS, this legislature is saddened by the recent death of Mrs. Irene Welch of Montgomery. She was the lovely and gracious wife of the House of Representatives doorkeeper, Mr. Bill Welch; and

WHEREAS, she contributed immeasurably to the civic life of her community. Among her many interests were active membership in the Eastern Star, White Shrine and Court Amaranth; and

WHEREAS, this marvelous lady had a deep sensitivity toward her fellow citizens. She was ever ready to contribute her efforts toward a worthy cause; now therefore;

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of a lovely and gracious lady, Mrs. Irene Welch of Montgomery, and that we extend our heartfelt sympathy to her family and friends.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to her husband, Mr. Bill Welch.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 241, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's Desk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lyons:

H. J. R. 239. CHANGING THE NAME OF THE ALABAMA HIGH SCHOOL OF THE FINE ARTS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution now designated as the Alabama High School of the Fine Arts, created by Act No. 1203, H. J. R. 145, Regular Session, 1971 (Acts 1971, p. 2089), shall be hereafter designated and known as the Alabama School of Fine Arts.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 239, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Gray (F), Reed (T), Waldrop, Smith (P), Edwards, Chesnut, Wynot, Downing, Bank, Barkett, Cauthen, Adams, Snell, Kinsey, Coshatt, Smith (K), May, Lyons, Grainger, Robertson, Owens, Jones (F), Taylor, Culver, Parker, Boutwell, Stokes, Manley, Weeks, Doss and McNair:

H. J. R. 235. URGING CONGRESSIONAL ENACTMENT OF LEGISLATION ESTABLISHING THE TUSKEGEE INSTITUTE NATIONAL HISTORICAL PARK

WHEREAS, There is now pending in both Houses of the United States Congress, bills which would establish the Tuskegee Institute National Historical Park, on and around the grounds of that renowned educational institution at Tuskegee, Alabama; and

WHEREAS, Representative Bill Nichols of Alabama has introduced said bill in the United States House of Representatives, and Senators John Sparkman and Jim Allen have introduced said bill in the United States Senate, and said bills have been supported by many other Congressmen; and

WHEREAS, Section I of said bill reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Congress finds Tuskegee Institute, Tuskegee, Alabama to be of national importance in illustrating the advancement of education for black Americans under the leadership of such men as Booker T. Washington, its founder, and George Washington Carver, the noted agricultural scientist.

Therefore, in order to preserve and interpret to the public the historic properties at and near Tuskegee Institute, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Tuskegee Institute National Historical Park. The park shall be comprised of those lands and buildings on or adjacent to the Tuskegee Institute campus that the Secretary, in his discretion, deems to be of historical and cultural significance. The Secretary shall establish the park by publication of a notice to that effect in the Federal Register, when he deems it advisable.

WHEREAS, The Legislature of Alabama issued a Charter to Tuskegee Institute in 1881, and has since encouraged and assisted its development and growth by making annual appropriations to it, and takes pride in its accomplishments; and

WHEREAS, Tuskegee Institute's outstanding achievements in the fields of education, agriculture, vocational education, health care, veterinary medicine, and in the development of human resources, have greatly contributed to the progress and prosperity of the State of Alabama, and the nation; and

WHEREAS, The establishment of the Tuskegee Institute National Historical Park would be a most appropriate recognition of the rich legacy of its illustrious founder, Dr. Booker T. Washington, and its noted agricultural scientist, Dr. George Washington Carver; and

WHEREAS, It is in the best interest of the State of Alabama, and its residents, if the pending legislation in Congress should pass, and Congress would establish the Tuskegee Institute National Historical Park,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Alabama Legislature duly note the contributions of Tuskegee Institute to the State of Alabama, and to the nation, and applaud the United States Congress in its endeavors to establish the Tuskegee Institute National Historical Park.

BE IT FURTHER RESOLVED, That the Legislature of Alabama urges' the Congress to pass said bills establishing the Tuskegee Institute National Historical Park, and particularly urge the Alabama Congressional Delegation to assist in the passage of this legislation.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the following persons:

Honorable Bill Nichols, United States Representative, Alabama

Honorable John Sparkman, United States Senator, Alabama

Honorable Jim Allen, United States Senator, Alabama

All other members of the Alabama Congressional Delegation

All members of the "Committee on Interior and Insular Affairs" of the United States House of Representatives.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 235, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Drake:

HOUSE JOINT RESOLUTION NO. 238

DECLARING LEGISLATIVE INTENT ON EDUCATORS' SALARY INCREASE

WHEREAS, the State Board of Education has directed in a resolution adopted on August 14, 1973 that the school term be increased from 175 to 180 days each year, and;

WHEREAS, the effect of said resolution could dilute the general salary increase which the Alabama Legislature approved for teachers and other public school personnel, and;

WHEREAS, this is contrary to the spirit and the intent of the increase in the state salary allocation for teachers approved by the Alabama Legislature and included in the regular Biennial Education Appropriations Act, and;

WHEREAS, teachers will support a longer school term provided they are not required to sign contracts to work more than the current 180-day contract period without additional compensation for the extra days,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the State Board of Education, the State Superintendent of Education, local boards of education, and local superintendents be advised that the Legislature strongly feels that teachers are entitled to the full salary increase provided in Act 384 of the 1973 Regular Session of the Alabama Legislature, and any action by administrative authority to require additional work days without additional salary for days beyond the 180-day contract term negates the intent of the Legislature in approving the general salary increase for educators.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 238, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 2271. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, to form districts within their respective counties for the establishment and maintenance of a system for fighting and preventing fires, for the collection and disposal of trash, for supplying water services, for the collection and treatment and disposal of sewage, for the operation of emergency medical services including ambulance services, and for other similar local type services; and to provide for the administration of such services within such districts including the levy and collection of charges for such services.

Also:

By Messrs. Hill and Flippo:

H. 2272. To prescribe means, in addition to the giving of bail bonds, by which a person charged with an offense in counties having populations of not less than 65,500 nor more than 75,200, according to the most recent federal decennial census, regardless of his financial or social status, may give security for appearance in order to secure his release instead of being needlessly detained pending his appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

Also:

By Mr. Owens:

H. 2228. To authorize and provide for the collecting of a twenty-five cent application or issuance fee to be charged by Judges of Probate, License Commissioners, Directors of the County Departments of Revenue, or other like public officer performing like duties relating to the application or issuance of motor vehicle licenses, driver's licenses or permits, marriage licenses, and transfers of motor vehicle licenses in all counties having a population of not less than 15,650 nor more than 16,200, according to the last or any succeeding federal census, and, provided further, however, that no affidavit fee of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

Also:

By Mr. Owens:

H. 1757. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the express purpose of instituting and conducting a program of preclicensing driver education and training.

Also:

By Messrs. Hill and Flippo:

H. 2232. To abolish the Lauderdale County Court; to provide for the transfer of cases now pending in said Lauderdale County to the court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as the District Court of Lauderdale County, defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body

to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF LAUDERDALE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To abolish the Lauderdale County Court; to provide for the transfer of cases now pending in said Lauderdale County Court to the court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as the District Court of Lauderdale County, defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Court created by Act No. 27, H. 102, Special Session 1964 (Acts 1964, p. 47) is hereby abolished.

Section 2. All cases now pending in said Lauderdale County Court hereby abolished shall be transferred to the court created by this act, together with all papers and judgment entries pertaining to said cases, and further proceedings thereon had in said court shall be as if such case or cases had originated therein.

Section 3. There is hereby established a court in and for said county which shall be called and known as the District Court of Lauderdale County. The District Court of Lauderdale County shall not be considered a court of record.

Section 4. The court established by this act shall have civil jurisdiction in cases at law in which the matter in controversy does not exceed one thousand dollars (\$1,000), exclusive of interest, attorney's fees, and costs, said jurisdiction to be concurrent with the jurisdiction of any other court in the county having jurisdiction in such cases.

Section 5. The court established by this act shall have original criminal jurisdiction of all misdemeanors committed in Lauderdale County, and all peace proceedings commenced in said county; full, complete, unlimited and exclusive jurisdiction over all juvenile matters in the county and it shall have preliminary jurisdiction of all felony, bastardy and peace proceedings cases and of all other criminal and quasi-criminal proceedings heretofore cognizable in justice of peace courts and exclusive and original jurisdiction of all cases arising under Article 3, Chapter 4, Title 34, Code of Alabama 1940, as amended.

The judge of said court shall be authorized to appoint a probation officer who shall serve at the pleasure of the judge. The compensation of such officer shall be fixed by the judge, subject to the approval of the county governing body, and the county's share of such compensa-

tion shall be paid out of the general fund of the county in the same manner as other county employees are paid.

Section 6. In all criminal cases in this court hereby established, wherein justices of the peace had jurisdiction prior to October 1, 1961, there shall not be charged a solicitor's fee. In all other criminal cases solicitor's fees shall be taxed and collected as provided for under the general laws of the State of Alabama for criminal cases. The district attorney of the eleventh judicial circuit or his assistant shall serve as prosecuting attorney for the court.

Section 7. The judge of the District Court of Lauderdale County must be a resident and qualified elector of Lauderdale County, admitted to the practice of law in the State of Alabama and not less than 25 years of age. The judge of the Lauderdale County Court, herein abolished, shall be the first judge of the District Court of Lauderdale County, herein created, and he shall serve as such judge until his successor is elected and qualified as herein provided. A judge of the court shall be elected by the qualified electors of Lauderdale County at the general election in November 1976, and every six years thereafter. He shall hold office for a term of six years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The judge shall devote his full time to the duties of office and shall not engage in the practice of law in any court of this State or of the United States.

Section 8. The judge of the District Court of Lauderdale County shall receive a salary of twenty thousand dollars (\$20,000) per annum, payable in equal monthly installments out of the general fund of Lauderdale County, Alabama. The judge of such court may employ a clerk-secretary and fix the salary therefor at not more than \$500 per month, payable out of the general fund of the county.

Section 9. The circuit court clerk of Lauderdale County shall be ex officio clerk of the District Court of Lauderdale County. Said clerk shall have the power to issue search warrants and shall also have all the powers and authority, both ministerial and judicial, which are now or which may hereafter be vested in the clerk of the circuit court of Lauderdale County. Said clerk shall be entitled to fees in all civil causes as hereinafter set out in section 13 and in all criminal cases the clerk shall be entitled to the same fees, and shall be paid in the same manner as are now or may hereafter be allowed to ex officio clerks of county courts, law and equity courts and courts of like jurisdiction under the general laws of the State of Alabama. Said clerk shall likewise be authorized to retain 5 per cent of all fines collected by him as provided in item 16 of Section 198, Title 13, Code of Alabama 1940, as amended, which is provided for other circuit clerks, but such percentage shall be retained by said clerk only if he actually collects such fines. All of said costs and fees shall be paid into the general fund of Lauderdale County, Alabama. The county governing body may require a bond of the clerk not to exceed five thousand dollars (\$5,000).

Section 10. The clerk of the District Court of Lauderdale County shall keep a docket book or books in which he shall make fair and accurate entries of all causes brought before the court, and shall keep minutes of all the proceedings, including the service and return of process, the appearance of such parties as may appear, the fact of trial, the judgment, including damages, fine and sentence, with costs separately stated, the issuing of execution and to whom issued, with the date thereof and the return thereon, and a memorandum of the items of all costs, including witness fees, which shall be in the same

amount and paid in the same manner as now exists in the circuit court of Lauderdale County. The docket or a certified copy thereof shall be evidence of the matters therein stated.

The clerk shall also be under the duty to do any and all other acts necessary or incident to the efficient operation of the court created by this act.

Section 11. Said court shall be in session continuously from day to day. Cases may be set for trial at any time, and the judge may hold court at such times and places in the county as may be appropriate and conducive to the efficient operation of the court. The clerk of said court shall keep and maintain a trial calendar and the placing of any case on said trial calendar with the date of trial shall be notice to all persons.

Section 12. (a) A civil action shall be commenced by the filing of a statement of a claim, including the last known address of the defendant, in concise form and free from technicalities.

(b) A notice to appear shall be served on the defendant to which shall be attached a copy of the statement of the claim, and such service shall be sufficient to give the court jurisdiction of the premises. The time for appearance shall be not more than ten days from the date of the service of said notice, after which time a hearing on the claim shall be had. All processes issued by the court shall be served by the sheriff of Lauderdale County or by registered or certified mail with return receipt, or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose. For the services of such processes, the sheriff shall receive the same fees as are allowed by law to him for similar services performed in the circuit court.

(c) When notice is served by registered or certified mail, the clerk shall enclose a copy of the statement of claim, verification, if any there be, and notice in an envelope addressed to the defendant, at his last known address, prepay the postage and mail the same forthwith, noting on the record the day and hour of mailing. When the return receipt indicating that delivery has been made to the defendant is received, the clerk shall attach the same to the original statement of claim and it shall constitute prima facie evidence of service upon the defendant.

(d) When service is by a private individual, as above provided, he shall make proof of service by an affidavit, showing the time and place of service on the defendant.

(e) The plaintiff shall be entitled to a judgment by default, without further proof, upon failure of defendant to appear as ordered by the court. When the claim of the plaintiff is verified and for a liquidated amount damages may be assessed without further proof; when the amount is unliquidated, plaintiff shall be required to present proof of his damages.

Section 13. The clerk shall be allowed a fee of \$3.50 in all cases in which the matter in controversy does not exceed \$100.00, and in all cases in which the matter in controversy exceeds \$100.00, the clerk shall be allowed a fee of \$6.00; provided however, that in all proceedings of garnishment, replevin, and attachment the fee allowable to the clerk shall be \$7.00. In addition to all other costs, the clerk shall collect all other costs now or hereafter provided by law.

In all cases when the amount in controversy is \$500 or less, all fees and costs heretofore prescribed to be collected shall be prepaid

by the plaintiff on the filing of the claim or on any subsequent action on an execution. The judge of the court shall be authorized to make reasonable rules and regulations as may be necessary to carry out the intent of this section, including rules and regulations for the taxing of court costs against the plaintiff when the claim is exaggerated, and may adjust the same in such manner as to make such costs compatible with existing law.

Section 14. (a) On the return day or within ten days thereafter, as the judge may designate, the trial shall be had. Immediately prior to the trial of any case, the judge shall make earnest effort to settle the controversy by conciliation. If the judge fails to induce the parties to settle their differences without a trial, he shall proceed with a hearing on the merits.

(b) The judge shall conduct the trial in such manner as to do substantial justice between the parties according to the rules of substantive law, and all rules and regulations relating to pleading, practice and procedure shall be liberally construed so as to administer justice.

(c) If the plaintiff fails to appear, the suit may be dismissed for want of prosecution, or defendant may proceed to a trial on the merits, or the case may be continued, as the judge may direct. If both parties fail to appear, the judge may continue the case, or order the same dismissed for want of prosecution, or may make any other just and proper disposition thereof as justice may require.

Section 15. The judge of said court shall forthwith from time to time make rules for a simple, inexpensive and speedy procedure to effectuate the purposes of this act and shall have full power to prescribe, modify and improve the civil forms to be used therein, including forms of writs of attachment, garnishment and replevin. All rules and forms authorized by this section shall be effective upon approval of the presiding judge of the circuit court in which Lauderdale County is located.

Section 16. (a) Judgments of the District Court of Lauderdale County may be recorded in the same manner, under the same conditions and when so registered, shall have the same effect as judgments in circuit courts.

(b) Upon judgement being entered in any cause, execution may thereupon be issued against the party against whom the judgment is rendered for the amount of such judgment and costs, and such execution shall be directed to any sheriff or constable of the State of Alabama, and shall be of full force throughout the State.

Section 17. Prosecution for misdemeanors committed in Lauderdale County may be commenced in this court by making an affidavit before the judge or clerk of said court, or the proper municipal officer or clerk, writ on said affidavit to be issued by said clerks or officers and when the defendant is arrested on such affidavit, said cause shall go on the docket for trial, and be tried as though the defendant had been indicted by a grand jury. An amendment of the affidavit without the defendant's consent shall entitle the defendant to a continuance.

Section 18. All court costs shall be paid into the county general fund. In any case in which the arrest is made by a municipal officer, the fine shall be remitted to the general fund of the municipality in which the arrest was made; and if the arrest is made by the sheriff, the fine shall be remitted to the general fund of the county.

Section 19. There shall be no right to trial by jury in the District Court of Lauderdale County, either in civil or criminal cases.

Section 20. Appeals from judgments of the District Court of Lauderdale County shall be taken within ten days from date of judgment to the circuit court of the county, in the same manner provided by law for the taking of appeals from county courts.

Section 21. The county governing body shall furnish suitable quarters for the court hereby established and provide the necessary forms, books, records, stationery, equipment, supplies and additional personnel required for the efficient functioning of the court.

Section 22. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 23. All laws or parts of laws which conflict with this act are repealed.

Section 24. This act shall become effective on January 1, 1974.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mellville T. Newman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was State Editor of the Florence Times Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 10, 17, 24, and 31, all in the year 1973.

MELLVILLE T. NEWMAN.

Sworn to and subscribed before me August 28, 1973.

LOIS F. ALLEN,
Notary At Large.

Also:

By Messrs. King, Lutz, Grainger, Hale and Hearn:

H. 2244. To establish a salary commission for Madison County, Alabama, for the purpose of submitting recommendations as to the salary and compensation for elected officials of Madison County, Alabama; to provide for the appointment of the members of said commission and the duties thereof; to otherwise provide for the implementation of this Act; to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish a salary commission for Madison County, Alabama, for the purpose of submitting recommendations as to the salary and compensation for elected officials of Madison County, Alabama; to provide for the appointment of the members of said commission and the duties thereof; to otherwise provide for the implementation of this Act; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established and created in Madison County, Alabama, the Madison County Salary Commission, hereinafter called the commission.

Section 2. The commission shall consist of five members who shall be qualified voters of Madison County. No member of the commission shall be an employee or an elected official of the State of Alabama, of Madison County, or any county or municipality in said state. The members of said commission shall be appointed by the members of the Madison County legislative delegation who reside in Madison County. Vacancies in the commission shall be filled in the same manner as initial appointments are made and they shall be made within thirty days of the vacancy. The members of the legislative delegation who appoint the members of the commission shall elect a chairman of the commission from said membership.

Section 3. The chairman of the commission shall call a meeting of the commission within thirty days of his appointment. At said meeting the commission shall elect a vice-chairman and a secretary.

The chairman shall preside over the meetings of the commission except that in the absence of the chairman the vice-chairman shall preside.

The secretary shall keep a record of the proceedings of the commission.

The commission shall meet at the call of the chairman or upon the request of a majority of the members of the commission. All recommendations of the commission shall be by majority vote of the members present. Four members of the commission shall constitute a quorum for the transaction of business. The commission may adopt rules of procedure for the conduct of its business so long as such rules are not contrary to the provisions of this Act or of any state law.

Section 4. Members of the commission shall serve without compensation.

Section 5. It shall be the duty and responsibility of the commission to make recommendations to the members of the Alabama Legislature residing in Madison County pertaining to the salary, salary supplements, expense allowances or other entitlements, by whatever name called, that should be received by all elected officials of Madison County, Alabama, including but not necessarily limited to the Circuit Judges elected by the voters of Madison County, the Sheriff of Madison County, the Tax Assessor, the Tax Collector, the District Attorney elected by the voters of Madison County, the Circuit Court Clerk, the Judges of the Madison County Court or any successor court, the Chairman and members of the Madison County Commission, the

Probate Judge and the Coroner. The commission shall, among other things, make comparisons of the salary of comparable officials of other counties in Alabama and other states in making the recommendations herein provided. The commission shall make its recommendations by June 30 of each odd numbered year commencing in 1975 and at any other time upon request of the members of the Alabama Legislature residing in Madison County.

Section 6. The term of office for each commissioner shall be four years commencing on the first day of January, 1975. The members of the Alabama Legislature residing in Madison County shall make appointments to the commission within thirty days after their election to said office in November, 1974, and shall make subsequent appointments every four years thereafter in the same manner.

Section 7. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on August 1, 8, 15, and 21, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 21st day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

Also:

By Messrs. Crowe and Naramore:

H. 2265. To abolish the Board of Revenue of Walker County, establish in lieu thereof a Walker County Commission and provide for election of a chairman and members of the Walker County Commission, for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such Walker County Commission and the chairman and members thereof.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Board of Revenue of Walker County, establish in lieu thereof a Walker County Commission and provide for election of a chairman and members of the Walker County Commission, for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such Walker County Commission and the chairman and members thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Walker County created by Act No. 410, H. 324 of the Special Session of 1966 (Acts 1966, p. 555) is hereby abolished. However, the incumbent chairman and associate member of the Board of Revenue shall continue to hold office, as the chairman and members, respectively, of Walker County Commission established by this act as provided in Section 2, until their successors are elected as therein prescribed.

Section 2. After this act takes effect the governing body of Walker County shall be Walker County Commission, and shall consist of a chairman and four associate members, all of whom shall be qualified electors of Walker County. The chairman and associate members shall each be elected by the qualified electors of the county at large. However, the associate members shall be nominated by the qualified electors of their respective districts. Each member shall at the time of his election and during his continuance in office, be a resident and qualified elector of the district for which he is elected. Walker County is hereby divided into four districts as follows: District No. 1 shall be composed of the following territory:

Begin at the Northwest corner of section 19, Township 12 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of the Northwest $\frac{1}{4}$ of Section 6, Township 14 South, Range 8 West;

Thence, Easterly along the South line of the Northwest $\frac{1}{4}$ and the South line of the Northeast $\frac{1}{4}$ of Section 6 to its intersection with the East line of said section;

Thence, Southerly along the section lines to the Southwest corner of Section 8, Township 14 South, Range 8 West;

Thence, Easterly along the section lines to the intersection of the South line of Section 7, Township 14 South, Range 7 West with the West corporate limits of the City of Jasper;

Thence, Northerly along said corporate limits to its intersection with the North corporate limits of the City of Jasper;

Thence, Easterly along said corporate limits to its intersection with a Northerly extension of the Southwest fork of the main channel of Town Creek;

Thence, generally Southerly, Southeasterly and Southerly, following the meanderings of the Southwest fork and of the main channel of Town Creek to its intersection with the center line of Wright Street;

Thence, Westerly along the center line of Wright Street to its intersection with the center line of Third Avenue;

Thence, Northerly along the center line of Third Avenue to its intersection with the center line of Park Avenue;

Thence, Westerly along the center line of Park Avenue to its intersection with the center line of Fourth Avenue;

Thence, Northerly along the center line of Fourth Avenue to its intersection with the center line of Sixth Street;

Thence, Westerly along the center line of Sixth Street to its intersection with the center line of Ninth Avenue;

Thence, Southerly along the center line of Ninth Avenue to its intersection with the center line of the right-of-way of the Southern Railroad;

Thence, Southeasterly and Southerly along the center line of the right-of-way of the Southern Railroad to its intersection with the South corporate limits of the City of Jasper, at a point in Section 21, Township 14 South, Range 7 West;

Thence, Easterly along said corporate limits to its intersection with the East corporate limits of the City of Jasper;

Thence, Northerly along said corporate limits to its intersection with the South line of Section 12, Township 14 South, Range 7 West;

Thence, Easterly along the South line of said Section 12 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Northeast corner of Section 13, Township 13 South, Range 7 West;

Thence, Easterly along the section lines to the intersection of the South line of Section 8 of Township 13 South, Range 5 West with the boundary between Walker County, Alabama and Cullman County, Alabama;

Thence, generally Northwesterly along said boundary to its intersection with the boundary between Walker County, Alabama and Winston County, Alabama;

Thence, generally Northwesterly and Westerly along the boundary between Walker and Winston Counties to the Northwest corner of Section 19, Township 12 South, Range 8 West, which is the point of beginning.

District No. 2 shall be composed of the following territory:

Begin at the Northwest corner of Section 19, Township 12 South, Range 10 West on the boundary between Walker County, Alabama and Marion County, Alabama;

Thence, Southerly along said boundary to its intersection with the boundary between Walker County, Alabama and Fayette County, Alabama at the Southwest corner on Section 18, Township 13 South, Range 10 West;

Thence, Southerly along the boundary between Walker and Fayette Counties to the Southwest corner of Section 31, Township 13 South, Range 10 West;

Thence, Easterly along said boundary to the Northwest corner of Section 6, Township 14 South, Range 9 West;

Thence, Southerly along said boundary to the Southwest corner of Section 31, Township 15 South, Range 9 West;

Thence, Easterly along said boundary to the Southeast corner of Section 36, Township 15 South, Range 9 West;

Thence, Northerly along the section lines to the Southwest corner of Section 19, Township 15 South, Range 8 West;

Thence, Easterly along the South line of said Section 19 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Northwest corner of the Southwest $\frac{1}{4}$ of Section 8, Township 15 South, Range 8 West;

Thence, Easterly along the half section lines to intersect with the main channel of Lost Creek at a point on the half section line in Section 10, Township 15 South, Range 8 West;

Thence, Northerly and Northeasterly along the main channel of Lost Creek to its intersection with the South line of Section 2, Township 15 South, Range 8 West;

Thence, Easterly along the South line of said Section 2 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Southwest corner of Section 13, Township 14 South, Range 8 West;

Thence, Easterly along the section lines to the intersection of the South line of Section 18, Township 14 South, Range 7 West with the West corporate limits of the City of Jasper at the Southeast corner of said Section 18;

Thence, Southerly along said corporate limits to its intersection with the South corporate limits of the City of Jasper;

Thence, Easterly along said corporate limits to its intersection with the West corporate limits of the City of Jasper at a point which is the Southwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 14 South, Range 7 West;

Thence, Easterly along the line between the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20 to its intersection with the East line of said section;

Thence, Easterly along the line between the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 21, Township 14 South, Range 7 West and the line between the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 to its intersection with the South corporate limits of the City of Jasper at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 21;

Thence, Easterly along said corporate limits to its intersection with the center line of the right-of-way of the Southern Railroad;

Thence, Northerly and Northwesterly along the center line of the right-of-way of the Southern Railroad to its intersection with the center line of Ninth Avenue;

Thence Northerly along the center line of Ninth Avenue to its intersection with the center line of Sixth Street;

Thence, Easterly along the center line of Sixth Street to its intersection with the center line of Fourth Avenue;

Thence, Southerly along the center line of Fourth Avenue to its intersection with the center line of Park Avenue;

Thence, Easterly along the center line of Park Avenue to its intersection with the center line of Third Avenue;

Thence, Southerly along the center line of Third Avenue to its intersection with the center line of Wright Street;

Thence, Easterly along the centerline of Wright Street to its intersection with the main channel of Town Creek;

Thence, generally Northerly and Northwesterly, following the meanderings of the main channel and the West fork of the main channel of Town Creek and its Northerly extension to its intersection with the North corporate limits of the City of Jasper;

Thence, Westerly along said North corporate limits to its intersection with the West corporate limits of the City of Jasper;

Thence, Southerly along said West corporate limits to its intersection with the Northeast corner of Section 18, Township 14 South, Range 7 West;

Thence, Westerly along the section line to the Northwest corner of Section 17, Township 14 South, Range 8 West;

Thence Northerly along the section lines to the Northeast corner of the Southeast $\frac{1}{4}$ of Section 6, Township 14 South; Range 8 West;

Thence, Westerly along the North line of the Southeast $\frac{1}{4}$ and the North line of the Southwest $\frac{1}{4}$ of said Section 6 to its intersection with the West line of said Section 6, Township 14 South, Range 8 West;

Thence, Northerly along the section lines to the Northeast corner of Section 24, Township 12 South, Range 9 West on the boundary between Walker County, Alabama and Winston County, Alabama;

Thence, Westerly along said boundary between Walker and Winston Counties to the Northwest corner of Section 19, Township 12 South, Range 10 West on the boundary between Walker and Marion Counties, which is the point of beginning.

District No. 3 shall be composed of the following territory;

Begin at the Northwest corner of Section 24, Township 14 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of Section 1, Township 15 South, Range 8 West;

Thence, Westerly along the North line of Section 11, Township 15 South, Range 8 West to its intersection with the main channel of Lost Creek;

Thence, Southwesterly and Southerly along the main channel of Lost Creek to its intersection with the line between the North $\frac{1}{2}$ and the South $\frac{1}{2}$ of Section 10, Township 15 South, Range 8 West;

Thence, Westerly along the half section lines to the Northwest corner of the Southwest $\frac{1}{4}$ of Section 8, Township 15 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of Section 20, Township 15 South, Range 8 West;

Thence, Westerly along the North line of Section 30, Township 15 South, Range 8 West to the Northwest corner thereof;

Thence, Southerly along the section lines to intersect the boundary between Walker County, Alabama and Fayette County, Alabama at the Northwest corner of Section 6, Township 16 South, Range 8 West;

Thence, Southerly along the boundary between Walker and Fayette Counties, to its intersection with the boundary between Walker County, Alabama and Tuscaloosa County, Alabama;

Thence, Easterly along said boundary to the Northwest corner of Section 3, Township 17 South, Range 8 West;

Thence, Southerly along the West line of said Section 3 to the Southwest corner thereof;

Thence Easterly along the section line and the boundary between Walker and Tuscaloosa Counties to the Northwest corner of Section 7, Township 17 South, Range 7 West;

Thence, Southerly along said boundary to the Southwest corner of Section 31, Township 17 South, Range 7 West.

Thence, Easterly along said boundary to its intersection with the main channel of the Black Warrior River, which is also the boundary between Walker County, Alabama and Jefferson County, Alabama;

Thence, generally Northeasterly and Northerly, following the meanderings of the main channel of the Black Warrior River, and along said boundary, to its intersection with the main channel of Mulberry Fork on the East line of Section 6, Township 17 South, Range 6 West;

Thence, generally Westerly, Northerly, Northeasterly and Northerly following the meanderings of the main channel of Mulberry Fork to its intersection with the east line of Section 23, Township 14 South, Range 6 West;

Thence, Northerly along the East line of said Section 23 and the East line of Section 14, Township 14 South, Range 6 West to the Northeast corner of said Section 14;

Thence, Westerly along the section lines to the intersection of the North line of Section 13, Township 14 South, Range 7 West with the East corporate limits of the City of Jasper;

Thence, Westerly and Southerly along said corporate limits to its intersection with the South corporate limits of the City of Jasper;

Thence, Westerly along said South corporate limits to the Southwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 21, Township 14 South, Range 7 West;

Thence, Westerly along the South line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 and the South line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 to intersect the West line of said section at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21;

Thence, Westerly along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 14 South, Range 7 West to intersect the South corporate limits of the City of Jasper at the Southeast corner of the northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20;

Thence, Westerly along said South corporate limits to its intersection with the West corporate limits of the City of Jasper;

Thence, Northerly along said West corporate limits to its inter-

section with the Northeast corner of Section 19, Township 14 South, Range 7 West;

Thence, Westerly along the section lines to the Northwest corner of Section 24, Township 14 South, Range 8 West, which is the point of beginning.

District No. 4 shall be composed of the following territory:

Begin at the Northwest corner of Section 18, Township 13 South, Range 6 West;

Thence, Southerly along the section lines to the Southwest corner of Section 7, Township 14, South, Range 6 West;

Thence, Easterly along the section lines to the Southeast corner of Section 11, Township 14 South, Range 6 West;

Thence, Southerly along the West line of Section 13, Township 14 South, Range 6 West and Southerly along the West line of Section 24, Township 14 South, Range 6 West to its intersection with the main channel of Mulberry Fork;

Thence, generally Southerly, Southwesterly, Southerly and Easterly following the meanderings of the main channel of Mulberry Fork to its intersection with the main channel of Black Warrior River on the East line of Section 6, Township 17 South, Range 6 West, which is also the boundary between Walker County, Alabama and Jefferson County, Alabama;

Thence, generally Northeasterly along said boundary between Walker and Jefferson Counties to its intersection with the boundary between Walker County, Alabama and Blount County, Alabama;

Thence, generally Northerly along said boundary between Walker and Blount Counties to its intersection with the boundary between Walker County, Alabama and Cullman County, Alabama;

Thence, generally Northwesterly along said boundary between Walker and Cullman Counties to its intersection with the North line of Section 17, Township 13 South, Range 5 West;

Thence, Westerly along the section lines to the Northwest corner of Section 18, Township 13 South, Range 6 West, which is the point of beginning.

No person other than a resident qualified elector of one of such districts shall be qualified to represent that district on the new governing body of Walker County hereby established. A chairman and four associate members of the Walker County Commission shall be elected at the general election in 1976 and every four years thereafter. They shall hold office for four years from the first Monday after the second Tuesday in January next following their election, and until their successors are elected and qualified.

Section 3. The governing body of Walker County established by this act shall perform the same functions, exercise the same jurisdiction, authority and powers and perform the same duties prescribed by law for the governing body of Walker County when this act becomes effective, specifically including those duties enumerated in said Act No. 410 of the 1966 Special Session, and those specified in Act. No. 118 of the 1957 Regular Session, as such acts have been amended or supplemented. The chairman and associate members of the Walker County Commission, respectively, shall have and exercise the same powers,

rights and authority, fulfill the same responsibilities and perform the same duties as those prescribed by law when this act becomes effective for the chairman and associate members of the county governing body of Walker County, including specifically those powers, duties and authority prescribed in said Act No. 410 of the 1966 Special Session and No. 118 of the Regular Session of 1957, as such acts have been amended or supplemented. In addition thereto the members shall meet on all days they have been heretofore required by law to meet and they shall hold at least one meeting during each quarter of each year at some place in each of the districts into which Walker County is herein above divided.

Section 4. The chairman and members of the Walker County Commission shall each devote their entire time to the duties of their office. For the performance of their official duties the chairman and each associate member shall receive a salary of \$8400.00 per annum. The salaries of the chairman and associate members shall be paid in equal monthly installments from any funds in the county treasury available for that purpose as provided by law and such salary shall be their entire compensation for their services.

Section 5. Before entering upon the discharge of their duties the chairman and associate members of the governing body hereby created shall each execute a bond. In the case of the chairman the bond shall be in the sum of \$10,000. In the case of an associate member the bond shall be in the sum of \$5,000. The bonds shall be payable to Walker County, shall be conditioned as required by law, and shall be filed and recorded in the office of the judge of probate of Walker County. The premiums thereon shall be paid from the county treasury.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared H. S. PRINCE, JR., PUBLISHER of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: July 31, Aug. 7, Aug. 14, and Aug 20, 1973.

H. S. PRINCE, JR.

Sworn and subscribed to before me, this 20 day of August, 1973.

R. W. BOTELER,
Notary Public.

Also:

By Messrs. Stewart, Merrill and Burgess:

H. 2264. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, providing an additional expense allowance for the coroners of such counties.

Also:

By Mr. Snell:

H. 2262. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2271, 2272, 2228, 2232, 2244, 2265, 2264 and 2262. To the Committee on Local Legislation No. 1.

H. B. 1757. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lyons:

H. J. R. 240. CLARIFICATION OF LEGISLATIVE INTENT CONCERNING SALARY INCREASES FOR CERTAIN TEACHERS

WHEREAS, the Legislature has passed and the Governor has signed the Education Appropriation Bill, Senate Substitute for the Ways and Means Committee Substitute for H. B. 322, and

WHEREAS, the Act states, "It is provided that beginning with the fiscal year 1973-74, that in addition to the salary now received, and all other increments due, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than one thousand one hundred and sixty dollars (\$1,160.00) per annum; Rank II teachers not less than one thousand dollars (\$1,000.00) per annum; Rank III teachers not less than eight hundred eight dollars (\$808.00) per annum; Rank IV teachers not less than six hundred

eighty-one dollars (\$681.00) per annum; teachers holding Rank AA Certificates shall be paid six hundred dollars (\$600.00) per annum above the total amount paid to Rank I teachers with like experience; and any city or county board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund," and

WHEREAS, the wording in the Act could possibly leave some question as to the intent of the Legislature concerning the increases for beginning or first-year teachers:

NOW, THEREFORE, BE IT RESOLVED by the Legislature, both Houses thereof concurring, that it is the intent of the Legislature that beginning teachers in the 1973-74 school year be given the raises applicable to their respective ranks over the amounts paid beginning teachers during the 1972-73 school year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 240, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Waldrop and Carnes:

H. 233. To amend Section 37 of Act No. 516, H. 769, Regular Session 1949, which Act regulates use of highways by pedestrians and vehicles, by allowing a vehicle to turn right on a red traffic signal after making a full stop.

Also:

By Messrs. Waldrop and Carnes:

H. 234. Relating to speed limits on interstate highways, providing a minimum and maximum speed on such highways and prescribing penalties therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 233 and 234. To the Committee on Commerce, Transportation and Common Carriers.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Taylor, Flippo, Jones (F), Hobbie, Harris, Barron, Jackson, Wise, McCorquodale, Warren, Cauthen, Lutz, Casey, Wallace, Goodwin, Porter, Reynolds, Reid (R), Grey (D), Stewart and Roberts:

H. J. R. 122. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that Act No. 335, H. 281, Third Extraordinary Session 1971, Approved February 10, 1972, be named the Bob Hill Youthful Offender Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 122, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Stubbs:

H. J. R. 176. WHEREAS Alabama has more than 1,000 ante-bellum homes, several thousand domestic structures constructed between 1865 and 1900 and ten of thousands of additional homes built prior to 1925; and

WHEREAS these stately pre-1861 mansions, one hundred-year-old cottages, and turn-of-the-century residences are among Alabama's most significant heritage assets; and

WHEREAS many of these architecturally noteworthy and historic homes are deteriorating due to neglect and changing commercial, residential and population patterns; and

WHEREAS hundreds of restored landmarks and dozens of stabilized, revitalized older communities are popular tourist attractions for pilgrimages and tours as well as appealing to sightseers for their restored exteriors and landscaped surroundings; and

WHEREAS Alabama families, particularly young married couples, are reclaiming the flavor and fiber of our rich heritage by adapting these domestic landmarks.

NOW, therefore be it resolved that the Alabama Legislature herewith establishes a State "Live in a Landmark Council" to work with the Alabama Historical Commission to promote the preservation, restoration, stabilization, adaptation and rehabilitation of separate and clustered domestic landmarks throughout the State by encouraging Alabamians to restore and live in these landmarks.

The Chairman and the members of the State Council shall be appointed by the Governor from lists of three nominees for each position submitted to the Governor by the Alabama Historical Commission. In addition to the Chairman, one member will be appointed from each Congressional District and three members will be appointed from the State at large. The Commission's Executive Director will serve as ex-officio member of the Council. The Commission may nominate either individuals or husband and wife units and the Governor may appoint the same.

Members will serve terms of four (4) years each except that initially members from even numbered congressional districts and two of the three members appointed from the State at large will serve terms of two (2) years each or until successors are appointed. After the expiration of the term of initial members, all members will be appointed to terms of (4) years each or until successors are appointed. All members of the Council will automatically serve as members of the Board of Advisors of the Alabama Historical Commission. Members of the Council will serve without compensation and will meet at least once a year at the time of the Annual Meeting of the Alabama Historical Commission.

The State "Live in a Landmark" Council is charged to, in cooperation with the Alabama Historical Commission to organize local, regional and area councils which will promote and encourage Alabamians to restore and live in Landmarks.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 176, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

ADOPTION OF RESOLUTIONS

The Resolution:

S. J. R. 103. NAMING THAT PORTION OF U. S. HIGHWAY 11 BETWEEN BIRMINGHAM AND TRUSSVILLE THE RICHARD BEARD MEMORIAL PARKWAY.

was again read and, on motion of Mr. Gilmore, was adopted by the Senate.

ADJOURNMENT

At 5 o'clock P. M., on motion of Mr. Foshee, and pending further consideration of S. R. 113 and S. B. 735, the Senate adjourned until Thursday, August 30, 1973, at 8:30 A. M.

